ANNUAL REPORT 1990

CSST

Commission
de la santé
et de la sécurité
du travail

93-01637

1990 in Figures

	1990	1989
Workers covered	2,401,359	2,468,732
Employer files	180,758	182,322
Inspections [1]	217,867	213,558
Visits for prevention-inspection interventions	18,935	19,506
Assistance, evaluation, and control	12,483	13,092
Investigations of accidents	633	700
Interventions following complaints	5,294	5,233
Applications of the right to refuse	314	308
Refusals	211	173
Prevention programs submitted [1]	2,965	2,987
Work programs received [1]	1,437	1,811 [2]
Health and safety committees formed under the Act [1]	671	658
Fatalities following employment injuries	241,426	251,557
Accidents involving time off work accepted and compensated [4]	205,048	214,720
Other accidents [1]	27,771	29,056
Occupational diseases involving time off work, accepted and compensated [4]	4,196	4,010
Other occupational diseases [5]	4,411	3,771
Deaths occurred	185 [6]	181
Benefits paid under the right to protective reassignment of pregnant or breast-feeding workers	21,088	18,043
Average assessment rate	$ 2.50	$ 2.75
Maximum annual insurable earnings	$ 40,000	$ 38,000
Employer assessments	$ 1,445,347,000	$ 1,530,181,000
Investment income and interest on assessments	$ 398,089,000	$ 428,742,000
Total expenditure of the Commission [7]	$ 2 037,128,000	$ 1,753,213,000
Compensation programs [7,8]	$ 1,718,377,000	$ 1,293,247,000
Prevention programs	$ 69,753,000	$ 67,421,000
Administration expenses [7]	$ 188,785,000	$ 168,638,000
Reimbursement of assessments [9]	$ (83,295,000)	$ 25,400,000
Provisions concerning the real rate of return	$ 87,489,000	$ 162,201,000
Other expenses	$ 56,019,000	$ 36,306,000
Rate of capitalization	64.91 %	65.80 %

ANNUAL REPORT 1990

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Mr. Jean-Pierre Saintonge
President of the National Assembly
Québec

Mr. President:
I have the honour to present you the Annual Report of the *Commission de la santé et de la sécurité du travail* for the year 1990, as submitted to me by its President and Chief Executive Officer.

Yours very respectfully,

Normand Cherry
Minister of Labour
and Minister of State for
the Cultural Communities

Mr. Normand Cherry
Minister of Labour
and Minister of State for
the Cultural Communities

Mr. Minister:
In accordance with Section 163 of the Act respecting occupational health and safety, I have the honour to present you the Annual Report of the *Commission de la santé et de la sécurité du travail* for the year 1990.

Yours very respectfully,

Robert Diamant
President and Chief Executive Officer

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Message of the President and Chief Executive Officer

It is 1981. Québec is undergoing a revolution in the workplace not unlike the upheavals in education and health. The newly created *Commission de la santé et de la sécurité du travail*, finds itself entrusted with the responsibility to administer the Québec occupational health and safety plan, which has just acquired new meaning under the *Act respecting occupational health and safety*.

While the former legislation focused more on workers' compensation, the new Act marked a major turning point: it put prevention at the core of the plan and established joint measures for participation.

Prevention conquered fatalism; responsible participation by the parties replaced ancient management rights in this area. In future, employers and workers would have to cooperate to prevent employment injuries. The new legislation was greeted with reservation and scepticism and many called it utopic. But attitudes progressively changed and ten years later, the gamble on a concerted effort to prevention began to reap rewards.

Many businesses, particularly those with successful health and safety committees, noticed a reduction in the number and gravity of employment injuries. And if health and safety were seen as a necessary evil or a means of reducing production costs, they became one of the contributors to company performance. Cooperation is also on the CSST's agenda. Over the past decade most of the decisions of the Board of Directors and its committees have been made by consensus. This approach may seem long and sometimes onerous but it has the unquestionable advantage of guaranteeing solid results.

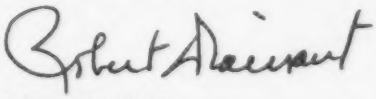
Mindsets have evolved with regard to prevention as a preferred means of efficiently reducing the frequency and seriousness of employment injuries. The number of special events related to health, safety and prevention is growing. The number of participants in *Occupational Health and Safety Week* is rising each year. The *Institut de recherche en santé et en sécurité du travail* notes a sustained growth in its interaction with the working environment, and its involvement in research projects. The new assessment method in force since January 1990 is an incentive to prevention, reflecting a major CSST concern.

Over the years, the legislative changes brought by the *Act respecting occupational health and safety* and the *Act respecting industrial accidents and occupational diseases* have generally produced the intended effects. Thus the current plan does not need to be changed in depth, but rather, requires improvements and reinforcement of its key element, joint prevention. However, we must anticipate that the plan will have to adapt to changes caused by the evolution of our economic, sociodemographic and organizational environment in order to meet expectations and needs.

Indeed, several new realities have transformed Québec society, the workplace, and the context of implementing the occupational health and safety plan. New rules imposed by the globalization of markets and free trade have transformed the industrial structure. Economic sectors will be disrupted and even disappear, while others will develop, thereby influencing the nature of employment injuries. The introduction of state-of-the-art techniques will give rise to uncharted sources of danger for workers. New occupational diseases will emerge. Merely consider the increasing amount of stress-related diseases. Public opinion could force the legislator's hand to compensate victims of these diseases.

We will have to direct our attention to other phenomena, such as the increased presence of women in the labour market and the development of service-sector jobs. The same goes for immigration, particularly non-European immigration which will require adjustment in our methods of reaching workers. As to the aging of the workforce, we can already predict that this will mean a decline in the risks of industrial accidents, but also an increase in the risk of occupational diseases. The partners of the work world must consider the plan's future perspectives by taking these trends into account.

Another decade has hardly begun and already it heralds several challenges. However, I know that the future can count on the concerted efforts of the staff and Board of Directors of the CSST, the IRSST, joint sector-based associations and our partners among the labour movement and employers, as well as in the health and educational field. For this I express my appreciation.



ROBERT DIAMANT
President and Chief Executive Officer

Mandate and Organization of the Commission

The *Commission de la santé et de la sécurité du travail* is the agency entrusted by the Government with the administration of the occupational health and safety plan. It is a joint body whose Board of Directors consists of an equal number of Québec labour and employer representatives.

In the area of **prevention**, the Commission develops and implements occupational health and safety policies aimed particularly at enabling workers, employers, and their associations to participate in improving health and safety conditions in the workplace and fully assume their rights and obligations set out by law. Its duties involve the establishment of standards, support for the implementation and operation of prevention programs and participation mechanisms, health services, as well as training, information and research services. The Commission is also responsible for monitoring the enforcement of occupational health and safety standards and regulations, as well as ensuring, in the workplace, that the rights and obligations conferred by law upon workers and employers are respected. The Commission has sole authority over work inspection and its jurisdiction extends to every aspect of health and safety at work.

Under its **rehabilitation-compensation** mandate the Commission provides victims of employment injuries and victims of criminal acts or acts of good citizenship all the services to which they are entitled. Its responsibilities, other than the payment of benefits, include rehabilitation aimed at a return to self-sufficiency or reintegration to the labour market, medical assistance, and the right to return to work. The Commission is also responsible for providing compensation to pregnant or breast-feeding workers who exercise their right to protective reassignment.

As to **funding**, the Commission has full powers, within the limits prescribed by the Act, to set and collect assessments from employers required to contribute to its accident fund. To this end, it must ensure that these employers are registered and classified for the purpose of assessment. The contributions it collects must enable it to cover the cost of accidents, the cost of prevention under the Act, and administrative and overhead expenses.

The varied mandate of the CSST is governed by the seven acts it administers:

- the *Act respecting occupational health and safety* (R.S.Q., c. S-2.1), which created the Commission and entrusted it with its multifaceted mandate;
- the *Act respecting industrial accidents and occupational diseases* (R.S.Q., c. A-3.001), which established a new occupational injuries compensation scheme effective August 19, 1985, replacing plans governed by the *Workmen's Compensation Act*, and the *Act respecting indemnities for victims of*

asbestosis and silicosis in mines and quarries;

- the *Workmen's Compensation Act* (R.S.Q., c.A-3), which provides a compensation plan for all occupational accidents and deaths that occurred **before** August 19, 1985, and occupational diseases for which a claim was filed before that date;
- the *Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries* (R.S.Q., c. I-7) setting out special compensation for mine and quarry workers suffering from asbestosis and silicosis. Those receiving a pension under this Act **before** August 19, 1985 continue to receive it;
- the *Crime Victims Compensation Act* (R.S.Q., c. I-6) and the *Act to promote good citizenship* (R.S.Q., c.C-20) whose compensation principles are the same as those of the *Workmen's Compensation Act*;
- the *Government Employees Compensation Act* (R.S.C., 1985, c. G-5), a federal Act enabling the CSST to determine compensations for federal employees, according to rates and conditions prescribed by the provincial legislation. The application of this Act is the subject of an agreement between the Commission and the federal department involved.

Legislative Changes

During 1990, the National Assembly adopted four Acts which directly affected the Commission:

- *Act to amend various legislative provisions respecting the implementation of the Code of Penal Procedure* (c. 4), effective October 1, 1990, led to concordance changes to the acts administered by the Commission;
- The *Act to amend the Act respecting income security and the Act respecting occupational health and safety* (c. 31), effective June 22, 1990, changed Section 174 of the latter Act to enable an information exchange agreement to be established between the Commission and the *Ministère de la Main-d'oeuvre de la Sécurité du revenu et de la Formation professionnelle*;
- The *Act to amend the Act respecting access to documents held by public bodies and the protection of personal information and other legislative provisions* (c. 57), effective December 14, 1990, removes two identical provisions from the *Workmen's Compensation Act* and the *Act respecting industrial accidents and occupational diseases*, which are no longer necessary for exchanging information needed by the Commission and the *Régie de l'assurance-maladie* to carry out their respective mandates;
- The *Act to amend the Act respecting the Commission des affaires sociales* (c. 68), effective January 1, 1991, changes the *Commission des affaires sociales'* method of funding, by putting the CSST and other agencies whose decisions fall within this tribunal's jurisdiction, in charge of the amounts required for its operation, in the amount and according to the terms determined by the government.

Court Decisions

In 1990, the Québec Court of Appeal handed down a few occupational health and safety decisions, including two of general interest. In the judgment, *Ville de Sherbrooke vs CALP* and *CSST* (18-01-1990), the Appeal Court upheld that the employer, who was held personally responsible for payment of benefits under the Workmen's Compensation Act in the death of one of his workers, is still required to pay new benefits arising from the option exercised by the worker's surviving spouse, under the *Act respecting industrial accidents and occupational diseases*.

In addition, the Court of Appeal upheld, in *Domtar Inc.* vs *CALP* and *CSST* (29-08-90), that a Commission inspector can, under the *Act respecting occupational health and safety*, deliver a correction notice urging an employer to comply with a general provision of this Act, even if the employer has complied with all the applicable regulatory standards and there is no specific provision concerning the object of the correction notice.

Commission's Operational Model

For several years, the Commission's guiding principle has been to integrate all its mandates and regionalize its services. A vice-presidency oversees program development. Advisory directors under the vice-presidencies are mainly concerned with the coordination of some of the activities carried out by regional services. Regional offices are responsible for implementing the Commission's programs and servicing the varied clientele. The new operational model emphasizes the integration of regional-office functions, mainly through the creation of multidisciplinary teams, health and safety services. Within a multidisciplinary team, each function (compensation, rehabilitation, prevention-inspection) coexists with the others, while executing its own specialized activities. These teams are supported by content specialists in prevention-inspection, rehabilitation, and compensation. In the integration of these functions lies the guiding principle of the organization, for it promotes harmony in the interventions and strengthens their impact.)

HUMAN RESOURCES

Authorized Staff

The Commission's staff is appointed and paid in accordance with the *Public Service Act*. To comply with new *Conseil du trésor* (Treasury Board) requirements on authorization, follow-up and control of government staff, the Commission filed a dossier to obtain approval for its entire staff. Stated needs for 1990 include 2,969 permanent positions and 400 person-years for temporary staff.

Positions Filled

On December 31, 1990, the Commission had 2,634 permanent employees, an increase of 73, or 2.9% compared to 1989. Of these employees, 1,559 worked in regional branches and 1,075 in administrative centres. Fifty six percent of the permanent employees were classified as civil servants, compared to 58% in 1989; 35.9% as professionals, compared to 33% in 1989; 1% as general workers compared to 1.1% in 1989; and 7.1% as supervisory staff compared to 7.9% the previous year.

During the year 23 employees, 17 men and 6 women retired. However, 85 employees took leave without pay for periods of varied duration and 62, leave with deferred pay. One hundred and five employees were absent from work for maternity leave, 226 received salary insurance benefits, 80, benefits for employment injuries in the workplace and 187 availed themselves of the part-time workplan.

Temporary Staff

On December 31, 1990, the Commission employed 727 casual employees, an increase of 78 over the previous year, particularly for special projects: cost allocation, review offices, assessment reform, implementation of the systems master plan, etc.

Female Staff

The Affirmative Action Program for female government employees, adopted July 8, 1987, sets specific quantitative and qualitative goals for the Commission and proposes different means to increase female employment. On December 31, 1990, women filled 1,202 of the 2,634 permanent positions in the Commission, compared to 1,170 out of 2,561 on December 31, 1989. Women now make up 45.6% of the CSST's permanent staff, the same as in 1989. The relative importance of the position of women in the personnel classifications of the CSST was as follows on December 31, 1990: 3 women were top-level managers, filling 50% of such positions; 21 were senior managers, or 21.6% of such positions; 7 were supervisors, or 9.2% of such positions; 297 were professionals, or 31.4% of such positions; and 874 were civil servants, or 59.3% of such positions.

INTERNAL AUDITS

The Internal Audit Branch is responsible for the Commission's internal auditing and its director reports to the president and chief executive officer. This is an advisory position which exerts no direct authority on the other centres of activity.

The internal auditing guidelines were adopted by the president and chief executive officer, under the Treasury Board directive concerning program analysis and internal auditing. Internal auditing must ensure the systematic, regular, and objective assessment of the adequacy and effectiveness of the Commission's administrative procedures.

An integral part of the Commission's management functions, the Internal Audit Branch is mandated to provide senior managers with an independent assessment of the Commission's practices and management systems and to act as an agent of change within the Commission. The mandate includes the management of all the resources, namely human, material, financial and information resources, needed to carry out the activities.

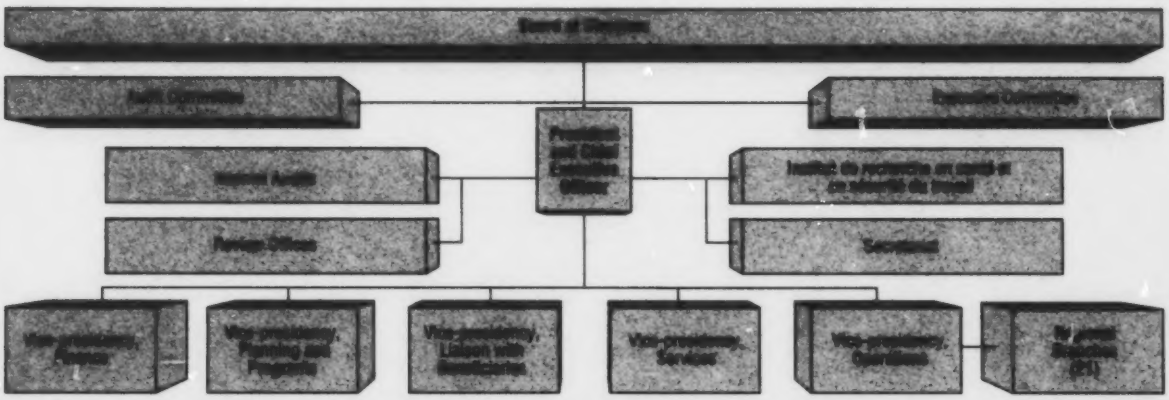
The method prescribed to carry out the mandate reflects the basic concept of integral auditing, adapted to the internal auditing context. In this way, the extent of economic, efficient and effective management of the human, material, financial and information resources, the degree to which the lines of responsibility are supported, and the adequacy and availability of management information for decision-making can be determined. In systems development, the internal auditor intervenes during the design, development, and installation rather than after the system has been established.

The main role of the Internal Auditing Management Committee, composed of the president and chief executive officer and two vice-presidents, is to counsel and provide opinion to the chief executive officer. It does not perform management duties. The committee's five main objectives are:

- to help the president and chief executive officer assume his responsibilities with respect to the Commission's administrative performance;
- to improve the accountability process between managers and upper management to ensure efficient control and good management of resources;
- to provide support to all the efforts made to enhance management systems and practices;
- to improve communications between upper management, the Internal Audit Branch, the *Vérificateur général* and the central agencies;
- to reinforce the independence of the Internal Audit Branch in the Commission.

TABLE 1

THE COMMISSION'S OPERATING STRUCTURE



Actuarial Services

Budget Programming

Financial Services

Statistics and Information Management

Systems

Consultation, Program Evaluation, and Planning

Occupational Health and Safety Information

Prevention and Inspection Programs

Rehabilitation and Compensation Programs

Communications

Human Resources

Material Resources

Legal Services

Network Operations

Operations Control and Evaluation

Crime Victims' Compensation

Medical Services

Operations Support

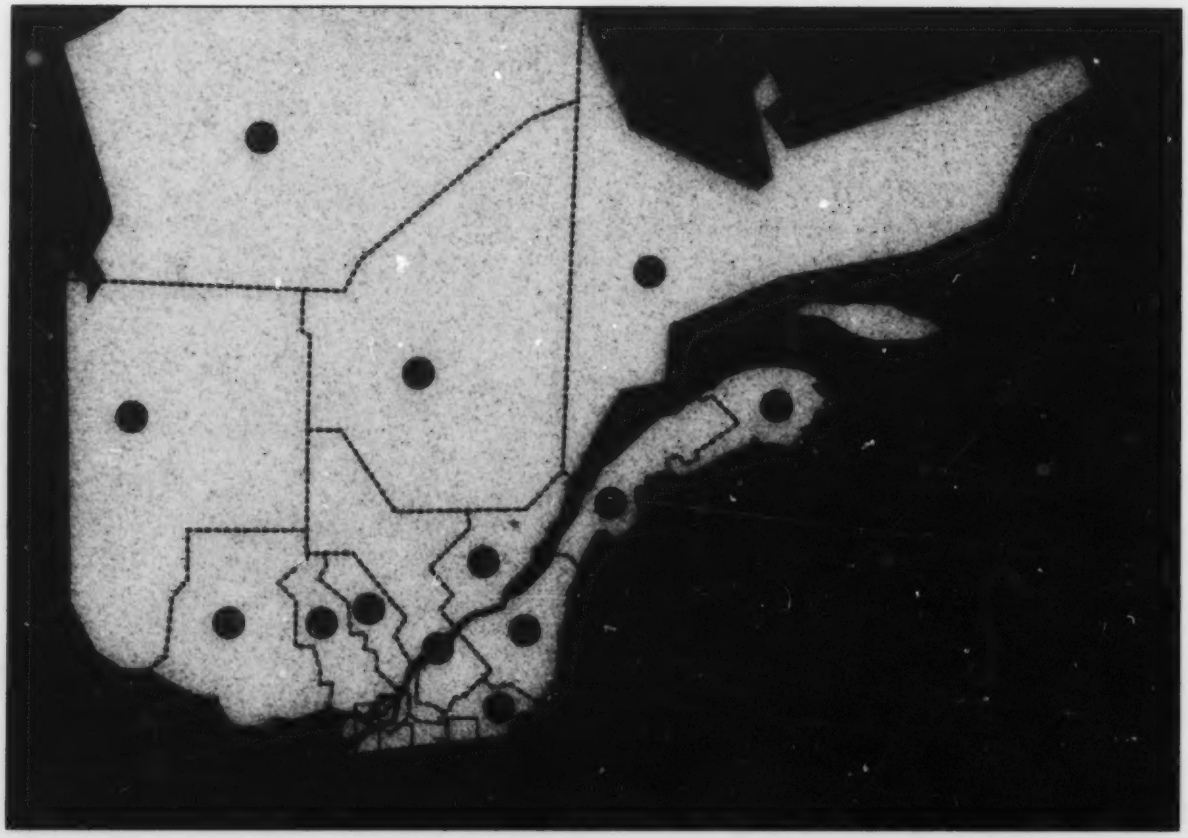
Building and Public Works Support

Abitibi—Témiscamingue
Bas-Saint-Laurent
Chaudière—Appalaches
Côte-Nord
Estrie
Gaspésie—Îles-de-la-Madeleine
Île-de-Montréal - 1
Buildings and public works
Île-de-Montréal - 2
Transportation equipment and trade
Île-de-Montréal - 3
Medical services and administration
Île-de-Montréal - 4
Business services and metallic products
Île-de-Montréal - 5
Transportation, food and drink
Lanaudière
Laurentides
Laval
Longueuil
Mauricie—Bois-Francs
Outaouais
Québec
Richelieu—Salaberry
Saguenay—Lac-Saint-Jean
Yamaska

Administration

Multidisciplinary Occupational Health and Safety Service: Prevention, Inspection, Rehabilitation, Compensation

Administrative Regions and Regional Branches of the CSST



- LAVAL
- ÎLE-DE-MONTRÉAL
- LONGUEUIL
- RICHELIEU–SALABERRY
- YAMASKA
- OUTAOUAIS
- LAURENTIDES
- LANAUDIÈRE
- MAURICIE–BOIS-FRANCS
- ESTRIE
- CHAUDIÈRE–APPALACHES
- QUÉBEC
- ABITIBI–TÉMISCAMINGUE
- SAGUENAY–LAC-SAINT-JEAN
- BAS-SAINT-LAURENT
- CÔTE-NORD
- GASPÉSIE–ÎLES-DE-LA-MADELEINE
- NOUVEAU-QUÉBEC

Administration of the Plan in 1990

The *Commission de la santé et de la sécurité du travail* is a public corporation within the meaning of the *Civil Code*. As such it is vested with the general powers of such a corporation and specific powers imparted to it by law. Its joint Board of Directors is the highest body of employer-worker participation constituted by law, enabling both groups to share in defining and managing occupational safety and health policies.

BOARD OF DIRECTORS

The Commission's Board of Directors is made up of fifteen members: the president, who is also the chief executive officer, seven employer representatives and seven labour representatives. These are selected by the Government from lists supplied by the most representative management and labour associations.

In 1990, the Board of Directors focused on a number of aspects of the Commission's financial administration. The Board approved the Commission's financial statements for the 1989 fiscal year, and its 1991 budget. It adopted the average assessment rate of $2.32 and the maximum yearly insurable earnings of $42,000 for 1991. The Board of Directors appproved the budget of transfers within the occupational health services program and the mining rescue budget, and granted subsidies to thirteen joint sector-based associations, as well as to the *Institut de recherche en santé et en sécurité du travail* (Occupational Health and Safety Research Institute), and management and labour associations. It should also be noted that the Board decided to stop funding by sector units and to end subsidies, as of the 1991 fiscal year, for the Joint association for occupational health and safety in the chemical, rubber and plastic products, and refined petroleum products industries, which ceased operations on November 15, 1990 as a result.

The Board also adopted various resolutions on computer systems for acquiring outside resources for developing, maintaining, improving and operating the Commission's computer systems; operating computer and peripherical equipment; following up on production; and completing the administrative implementation of assessment reform. The Board also authorized acquisition of microcomputer equipment and the hardware needed, among other things, to computerize the eligibility-determining process in the regional branches and for office operations in the joint review offices; as well as, rental of processing and storage units and purchases of telecommunications equipment.

In early 1990, the Board of Directors approved in principle the establishment of an information systems master plan for the Commission. The plan will require computer investments estimated to be about $121 million, including a reappropriated $51 million of the current budget, leaving an additional investment of $70 million over five years. The anticipated solutions in the new systems architecture are aimed at the following objectives: a vision of integrated data and systems, systems decompartmentalization, reliable management information, increased operations support, streamlined electronic links, and up-to-date technology. The proposed technology is supported by mainframes, a telecommunications network, local area networks and microcomputers or screens as workstations.

As part of this master plan, the Board awarded contracts aimed at the following: general systems architecture (data, processing, technology), preliminary analysis of a new accounting plan, definition of the general framework for information management, completion of the project for reviewing the standardized framework, and actuarial information resource management. The Board also authorized the financial commitments needed to obtain furniture and equipment to supply additional offices within the master plan. The directors also agreed to continue a publicity campaign in 1990 to support the Commission's objectives and approved Phase 2 of the work for furnishing the head office.

In early 1990 the Board of Directors adopted a policy for assigning costs under Sections 326 to 331 of the *Act respecting industrial accidents and occupational diseases*. While settling the numerous requests for sharing and transferring the accountability outstanding since August 1985, this policy enables cases to be uniformly processed and thus improves the fairness of the Commission's assessment system to employers.

1 2 3

4 5 6 7

8 9 10 11

12 13 14 15

Board of Directors

President

Robert Diamant (2)

Labour Representatives

Louis Laberge (1)	President of the *Fédération des travailleurs et travailleuses du Québec (FTQ)* (Québec Federation of Labour)
Jean Lavallée (15)	Managing Director and Secretary-Treasurer of the Interprovincial Brotherhood of Electrical Workers. Vice president of the FTQ
Clément Godbout (6)	Québec Director of the United Steelworkers of America. Vice president of the FTQ
Claude Morrisseau (not in photograph)	Regional Director of the Canadian Union of Public Employees. Vice president of the FTQ
Céline Lamontagne (9)	Vice president of the *Confédération des syndicats nationaux (CSN)* (Confederation of National Trade Unions)
Andrée Bouchard (5)	Secretary. Confederal Health and Safety Committee. *Confédération des syndicats nationaux (CSN)*
Claude Gingras (10)	President of the *Centrale des syndicats démocratiques (CSD)* (Congress of Democratic Unions)

Employer Representatives

Ghislain Dufour (3)	President of the *Conseil du patronat du Québec (CPQ)* (Québec Employers Council)
L. Pierre Comtois (13)	Assistant General Counsel and Director of Public Affairs - Québec. General Motors of Canada Limited
Franco Fava (7)	Secretary. Neilson Excavation Inc.
Michel Guillemette (8)	Director of Medical Services, Canadian Pacific Forest Products Limited
Marcel Beaudry (12)	Beaudry & Bertrand. Lawyers
Gaston Lafleur (11)	President and Chief Executive Officer. *Conseil québécois du commerce de détail* (Québec Retail Council)
François E. Pelletier (14)	Vice president of Human Resources. Québec-Cartier Mining Co.

Observers

Marc Dionne (not in photograph)	For the Minister of Health and Social Services
Jacques Tremblay (4)	For the Minister of Labour

The directors have also adopted the Commission's policy objective of full capitalization so that there will be no unfunded liability at the end of the year 2009, and have set the following terms for reaching this goal:

1. Amortization of the $2.015 billion of unfunded liability, as estimated at December 31, 1989 over a 20-year period beginning 1990, which should enable full capitalization to be achieved in 2009;
2. Replacement of the current reserve for deviations related to the real rate of return as estimated on December 31, 1989, by a provision resulting from retroactively applying, to 1984, a mechanism for amortizing deviations related to the real rate of return, without interest, over an 8-year period.
3. An average assessment rate increase of $0.11 per $100 of total assessable payroll, in order to recapitalize the workers' fund. Since this decision is based on simulations of current data, it will apply for assessment years 1991-1994. At the end of this period the rate increase will have to be reviewed in the light of new simulations, without compromising the objective of full capitalization for the year 2009;
4. Implementation of a policy of amortizing surplus and deficits that will occur as of 1990.

After the varied facets of rate-sharing methods were analyzed, the Board decided that, for capitalization purposes, rates would be shared as follows: 80% according to the inherent risk in each sector and 20% according to a uniform rate.

The Board also adopted a recalculation policy to implement the Regulation respecting personalized rates and the Regulation respecting retrospective adjustment of the assessment. It was considered important to recalculate the assessment when data that has been used to determine it have been modified enough to have affected the employer's experience. For employers assessed at the unit's rate, the Commission adjusts the assessment when there is a variation in the total insurable payroll. The recalculation policy adds precision to the administrative modalities of provisions already present in the regulations in force.

The directors adopted the "Budget rules for fiscal year 1991" for joint sector-based occupational health and safety associations. They also decided that operational surplus accumulated by a joint sector-based association for fiscal years 1989 and 1990 could be transferred respectively to fiscal years 1990 and 1991, within certain limits.

At the Board of Directors' invitation, the then Minister of Labour Yves Séguin met the directors on February 14 and May 24, 1990, in order to share concerns with the Board, and review and determine directions in face of the most frequent criticisms. The minister then announced his intention to make certain corrections to the laws administered by the *Commission de la santé et de la sécurité du travail* to facilitate their application in the beneficiaries' interest. He presented the orientations of his plan of action that affect the Commission and asked for the directors' support and cooperation to undertake consultations and seek solutions. The minister's plan of action included the following points:

- Eligibility process and the delays in processing files;
- Review process;
- Economic and social stabilization programs;
- Relations with beneficiaries and processing of complaints;
- Coming into force of Chapter XI, Sections III and IV of the *Act respecting occupational health and safety*, for the construction sector;
- Implementation of mechanisms for prevention and participation in priority groups III, IV, V, VI;
- Occupational Health Services.

The Board of Directors gave a mandate to examine files to various committees for analysis and recommendations.

On November 29, 1990, the new Minister of Labour, Normand Cherry, met the members of the Commission's Board of Directors, to share with them his concept of his role, the way he plans to play it and the path he wishes to pursue with the directors, by determining priorities and pursuing prevention in joint action.

In an effort to improve its inspection, the Commission asked the Treasury Board Secretariat for an additional 198 permanent positions for inspection activities. The Treasury Board Secretariat recommended the increase be accepted and spread over the next three fiscal years, at 66 positions annually, and that Section 249 of the *Act respecting occupational health and safety* be amended so that the government contribution to the Commission's inspection activities is limited to 50% of total costs. The Commission's Board of Directors then reiterated its oft stated position to that funding of costs of inspecting the workplace should come entirely out of the government budget, under Section 249 of the Act, and that this section should not be amended. Since the government had persisted in its orientation toward partial disengagement from inspection-related expenses, without legal grounds, and with a resulting liability against the Commission, the Board of Directors asked the president and chief executive officer to take appropriate action or lawsuits to obtain reimbursement of funds due from the government for inspection.

The directors considered it unnecessary to change *Commission des affaires sociales (CAS)* funding rules to charge the CSST an unexpected financial surcharge over which it could exercise no budgetary control, and felt that the CAS budget, like that of any court, should draw consolidated income funds. They consequently informed the Minister of Labour of their opposition to CSST participation in funding the *Commission des affaires sociales*.

The Task Force on the process of awarding government contracts announced its intent to recommend that the Commission be subjected to general Québec government regulation for awarding contracts for goods and services. Since the Commission has administrative rules to ensure efficiency and openness in awarding contracts for goods and services, and subjection of the procedure to other administrative contract-granting bodies would overburden the administrative process and reduce the Commission's efficiency in completing its mission, the Board of Directors asked the Québec government to exempt the *Commission de la santé et de la sécurité* from general regulations in awarding of contracts for goods and services.

The study and adoption of regulations are an important part of the Board of Directors' work. The Commission adopted the following regulations in 1990:

- Regulation respecting the standards and tables for personal home assistance for 1991;
- Regulation on the table of income replacement indemnities for 1991;
- Regulation respecting the table of gross annual income of suitable employment for 1991;
- Regulation respecting personalized rates;
- Regulation to amend the Regulation respecting personalized rates;
- Regulation respecting the retrospective adjustment of assessment;
- Regulation respecting the interest on which the retrospective adjustment is increased;
- Regulation respecting the rates of assessment, the units of economic activity and the sectors for the year 1990;
- Regulation respecting the rates of assessment, the units of economic activity and the sectors for the year 1991;
- Regulation respecting the experience ratios for 1990;
- Regulation respecting the experience ratios for 1991;
- Regulation respecting the insurance premiums for 1990;
- Regulation respecting the insurance premiums for 1991;
- Remuneration of Review Office Members Regulation.

The following regulations were adopted by the Board in view of their prior publication in the *Gazette officielle du Québec*.

- Draft regulation respecting the implementation of provisions relating to industrial accidents and occupational diseases contained in the *Entente complémentaire en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement du Portugal*;
- Draft regulation to amend the Safety Code for the construction industry (Eye and face protectors, protective footwear, retaining cable, liquified gas, openings in a floor, controlled products, work on roads open to traffic);
- Draft regulation to amend the *Building Code - 1985 Regulation*.

In the area of programs and policies, the Board agreed to introduce the program for evaluating and retraining workers suffering from chronic back pain, in Centre Lucie-Bruneau, one of two designated centres in Montréal and released $650,000 to provide for reimbursing the program's costs for one year. It also approved, for fiscal years 1991 and 1992, fees concerning physiotherapeutic and occupational therapy treatments whose costs are paid by the Commission, while maintaining the principle of different rating between establishments bound to the Commission by an agreement, and those which are not. The directors also decided to award service contracts for training first aiders for the period of June 1, 1990 to May 31, 1992, to all submissioners meeting the selection criteria in each of the administrative regions.

Indemnities paid for total temporary disability under the *Workmen's Compensation Act* and benefits paid under social and economic stabilization and rehabilitation programs not having been reevaluated since 1982, the Board thought it appropriate to change this situation in favour of reevaluating them. The Board of Directors therefore asked the Minister of Labour to present a government bill to amend the *Act respecting industrial accidents and occupational diseases* and other legislative provisions in the National Assembly with the following aims:

- To enable, as of January 1, 1992, beneficiaries of temporary disability indemnities and rehabilitation, and social and economic stabilization program benefits to receive indexed benefits. These benefits will be indexed as of January 1, 1986, but effective January 1, 1992;
- To provide an interim measure to beneficiaries of social and economic stabilization programs who would be at a disadvantage under the new method, to continue to have them receive the benefit amount they were entitled to on December 31, 1991 until the new method includes them;
- To clarify the legal plan applicable to economic and social stabilization programs.

The Board decided that successive commitment to these legislative changes, estimated to be about $100 million, would be carried over to fiscal year 1990 in full.

In the area of occupational health, the Board:

- Approved the agreement between the *Ministre de la Santé et des Services sociaux* and the *Commission de la santé et de la sécurité du travail* on occupational health programs offered under the *Act respecting occupational health and safety*;
- Approved the draft standard contract concerning occupational health programs offered under the *Act respecting occupational health and safety*, authorized the president and chief executive officer to submit the final draft standard contract to the *Ministre de la Santé et des Services sociaux* for agreement, and asked the minister in charge of implementing the *Act respecting occupational health and safety* to require government approval for the final draft standard contract, in accordance with Section 108 of the Act;
- Approved the letter of agreement between the *Ministre de la Santé et des Services sociaux* and the Commission, on implementation of the Commission's approval of the organizational plan for hospital centres where there are community health departments.

The Board noted that the moratorium on health services had left one hundred positions vacant, and that maintaining this moratorium while establishing health and social services reform unnecessarily delayed completion of the Commission's action plan, the product of orientations taken by the Board of Directors in October 1988. The Commission therefore decided to set aside the hundred positions created by the moratorium and reallocate them more fairly when organizational plans are approved, and to lift the moratorium on positions currently filled temporarily, and on permanent positions that became vacant as of December 18, 1990, subject to agreement between the ministry and the Commission on the distribution of resources between the administrative regions.

To improve service to the Commission's clientele, the Board adopted the principle of direct telephone access by Commission users in regional branches and authorized the financial commitments needed to set up the proper equipment and management tools. The Board also asked to study the feasibility of providing free telephone access to some of the Commission's central services.

Many of the Board's resolutions concerned the creation and update of lists of employer and labour members of the review offices created under the *Act respecting occupational health and safety*, as well as the delegation of the Commission's powers to its public servants and updates of the lists of delegatees to these powers.

During the year, the Board of Directors' 17 committees worked on budget and finance management in addition to studying several draft regulations, policies and programs. These committees met a total of 61 times in 1990 as follows:

- Committee on the safety representative in the construction sector (2 meetings);
- Committee on health programs for workers exposed to asbestos or silica (2 meetings);
- Committee on analyzing joint sector-based associations' budgets and programs (5 meetings);
- Committee on the Regulation respecting the quality of the work environment (2 meetings);
- Audits committee (2 meetings);
- Budget committee (1 meeting);
- Plenary committee on the notion of the establishment (1 meeting);
- Committee on the Rehabilitation and Compensation Policy Manual (12 meetings);
- Committee on preventive and curative health services (11 meetings);
- Plenary committee on economic and social stabilization programs (2 meetings);
- Committee on capitalization (2 meetings);
- Committee on review offices (3 meetings);
- Committee on the double status of review office members (1 meeting);
- Committee on the application of the notion of establishment:
  Section: Regulation respecting industrial and commercial establishments (3 meetings);
  Section: Groups III, IV, V and VI (3 meetings);
- Committee on mechanisms of redress and appeal (5 meetings);
- Committee on the Montréal administrative centre (4 meetings).

EXECUTIVE COMMITTEE

The Act provides for an Executive Committee including the president, one employer representative and one labour representative, selected by their peers from members of the Board of Directors. The Executive Committee consists of the president and chief executive officer, Robert Diamant, and Ghislain Dufour, employer representative, and Louis Laberge, labour representative.

Items on the agenda of the Board of Directors and files to be submitted to the Board are first cleared by the Committee. Committee members thus get an initial grasp of the problems at hand, enabling them to guide Board discussions towards the main concerns they have identified. Through this early perusal of files, Committee members are also in a position to ask staff to supplement information to be conveyed to the Board.

In the scope of its responsibility to approve current administrative agreements with Québec institutions, the Executive Committee approved the following agreements:

- Agreement between the *Commission de la santé et de la sécurité du travail* and the *Institut de recherche en santé et en sécurité du travail*, relating to services to be supplied to prevention-inspection parties by the Institute's laboratories Division;
- The Commission's membership in the public service office automation project and the transfer of $125,000 to the Health and Social Services Management Bargaining Committee, in trust, to this end.

The Executive Committee authorized various financial commitments in the Commission's information systems and information resource management, to acquire outside resources to: maintain pilot and experience modules per unit for the Commission's actuarial services; complete and maintain the systems dictionary infrastructure; start up systems for employers; and use Comshare software operations management information systems, among other things. The Committee also approved replacement of the computer complex's electrical support equipment and microcomputer equipment and material purchases for regional branches and human resource development.

As part of the Commission's information systems master plan, the Executive Committee also authorized the awarding of contracts for developing and establishing a methodology for technological cost management, the implementation of the preliminary stages in completing the new accounting plan, an exploratory study in the Commission's annual-report production, and coordination support for the new statistical plan. As part of its routine business, the Executive Committee authorized the signature of leases and approved office equipment purchases and supplier contracts.

1 2 3 4

5 6 7 8

President and Chief Executive Officer	Robert Diamant (6)
Vice-president, Finance	Pierre Shedleur (1)
Vice-president, Operations	Position vacant*
Vice-president, Planning and Programs	Lise Langlois (4)
Vice-president, Liaison with Beneficiaries	Lise Thibault (2)
Vice-president, Services	Lynda Durand (7)
Secretary	Pierre Lafrance (8)
Assistant to the President and Chief Executive Officer	Josée Quirion (5)
Communications Director	Sylvie Lefrançois (3)

*Since June 30, 1990

AUDITS COMMITTEE

Section XII of the Commission's internal management regulation creates an Audits Committee composed of two employer representatives and two labour representatives, all four selected by their peers from members of the Board of Directors. The Audits Committee is composed of Ghislain Dufour and Gaston Lafleur, employer representatives, and Louis Laberge and Andrée Bouchard, labour representatives. Among other duties, the Audits Committee examines the annual report of the Internal Audit Branch, that of the *Vérificateur général*, and their follow-up action, and reports to the Board of Directors. It ensures that the Commission's financial statements accurately reflect its financial situation, its evolution, and the results of its operations. The Audits Committee met twice in 1990.

MANAGEMENT COMMITTEE

The president and chief executive officer is responsible for the organization's administration and management. He is assisted in his functions by vice-presidents in finance, operations, planning and programs, liaison with beneficiaries, and services. The president and chief executive officer, the vice presidents, secretary, assistant to the president and chief executive officer and the communications director make up the Management Committee responsible for coordinating the Board of Directors' decisions and within this Committee, the president and chief executive officer consults with his colleagues on developing and implementing the various programs needed to carry out the Commission's mission and mandates.

The president and chief executive officer also informs Management Committee of his decisions affecting the Commission's routine administration.

Annually setting goals for the CSST means that priorities are communicated and the specific objectives of the various CSST branches join together in a common purpose.

In 1990, emphasis was placed on the following areas:

- Improving service to the clientele in all the Commission's activities;
- Reducing the frequency and gravity of work accidents and occupational diseases;
- Promoting prevention by placing priority on the elimination of dangers at source;
- Ensuring the plan's medium and long-term financial health;
- Consolidating Commission organization by promoting better human resource management;
- The development of new information systems.

The Committee developed strategies for achieving these objectives.

In the context of integrating the idea of user service in all the Commission's operations, Management Committee focused on carrying out a plan of action to correct certain programs and improve various procedures. Since in 1989 emphasis had been placed on reviewing the decision-making process at the initial stages of eligibility, Management Committee undertook to review the procedures related to subsequent stages of the steps for compensation.

Specifically, the rehabilitation plan was changed so that referral is made and responsiblity assumed promptly after the beneficiary is accepted into the program. To this end, the president and chief executive officer adopted a structure for intervening in rehabilitation and a referral framework for developing individualized rehabilitation plans. Thanks to the first tool, the rehabilitation counsellor's role is clarified by clear rules of intervention resulting in fairer evaluation of the beneficiary's needs. On the other hand, the referral framework for developing individualized rehabilitation plans proposes a conceptual model, increasing the precision and openness of individual rehabilitation plans.

It should also be noted that a program for evaluation and retraining workers suffering from chronic back pain has been pursued on an experimental basis at the Centre Lucie-Bruneau in Montréal and at the Centre François-Charon in Québec City. The program has produced interesting results.

The president has adopted a computerized system in rehabilitation, called the *Tableau de connexité des emplois*. The goal of vocational rehabilitation is to facilitate the worker's reintegration in his job or equivalent employment. If this goal is not reached, attempts have to be made to integrate the worker in a suitable employment, i.e., a job that enables him to use his residual capacity and occupational qualifications, offers a reasonable likelihood of employment and whose conditions for performance do not endanger his health, safety or physical well-being, in consideration of his injury. The *Tableau de connexité des emplois* is a tool for determining, with the aid of better defined criteria, whether an employment is suitable within the meaning of the Act.

The concept of user services is also developed through the creation of support and information mechanisms for beneficiaries. Since an organization's image is conveyed to a great extent by its reception and communication services, the president and chief executive officer adopted a plan of action in this area, providing, inter alia, for installation of automatic telephone-call distributers in all regional branches. In addition, brochures and quick-reference cards were published, including one on the protective reassignment of pregnant or breast-feeding workers. Finally, meeting days conducted under the theme *Pour mieux se prendre en main*, provided an opportunity for exchange between the Vice-presidency of Liaison with Beneficiaries and over 2,573 participants.

In 1990 Management Committee also pursued its goal to reduce the frequency and gravity of work accidents through more effective preventive measures and better organization of inspection activities. In view of the modification of certain regulatory standards, studies were conducted, particularly reports on contaminants liable to provoke lung diseases. On the other hand, a new, revised and broadened edition of the guide on scaffolds was published. An action plan on broad-leaved tree stumps was adopted to support the intervention of inspectors, employers and workers during their prevention-related activities in the forest industry. Information was distributed on safety measures during reforesting. To emphasize the importance it accords health and safety as elements of an improved quality of working and other conditions, Management Committee took active part in the *Sixth Annual Occupational Health and Safety Week*. This event was held from October 14 to 20, 1990 under the theme *Health, safety at work. We all agree it's vital.*

In consolidating organization in 1990, Management Committee and the president and chief executive officer undertook broad steps to define the Commission's mission and determine its proper values. This exercise aims to articulate the agency's mission by stating its strategic objectives and the values promoted in its service to users and the management of its resources. The result of this exercise will be a rallying element and a reference point to orient the Commission's future actions and guide its personnel.

Giving tone to this redefinition of the Commission's values, the president and chief executive officer asserted the management's concern with the status of women. The Commission assigned a person to this area reporting directly to management. Moreover, a permanent network of persons answerable to the status of women was formed in each administrative unit.

Turning its attention to literacy, Management Committee authorized the Commission to share in developing a training tool for adults who can not read. The characteristic of this tool, which builds learning around homelife and employment situations, will be the integration of occupational health and safety concepts in the work-related environment.

The Commission continued to attach great importance to its relations with external bodies including those outside Québec. It maintained its ties with the International Association of Labour Inspection (IALI) and the International Social Security Association (ISSA) and the International Commission on Occupational Health (ICOH). It maintained regular contact with its counterparts in other Canadian provinces and abroad, played host to a number of delegations and participated in several international conferences of particular interest. The Commission also continued to participate in the work of the *Comité de négociation des ententes en matière de sécurité sociale (C.N.E.S.S.)*, led by the Ministère des Affaires internationales.

At the Canadian and North-American levels, the CSST belongs to the Association of Workers' Compensation Boards of Canada and the Canadian Council on Rehabilitation and Work, the AASCIF (American Association of State Compensation Insurance Funds) and the IAIABC (International Association of Industrial Accident Boards and Commissions).

The Commission participates in certain task forces such as, the Canadian Standards Association's Advisory Committee on Health and Safety, the Federal-Provincial Committee on the Implementation of WHMIS and the National program of statistics on occupational accidents. The Commission also exchanges information with several Canadian agencies, mainly the Canadian Centre for Occupational Health and Safety. It also participates in the work of the Canadian Association of Administrators of Labour Legislation and the Legislation and Rehabilitation Committees of the IAIABC.

1990
FINANCIAL
STATEMENTS

Auditor's Report

I have examined the balance sheet of the *Commission de la santé et de la sécurité du travail* at December 31, 1990, and the statement of income and expenditure and the unfunded liability for the year then ended. Responsibility for these financial statements lies with the Commission's management. My responsibility is to express an opinion on these financial statements based on my audit.

My examination was made in accordance with generally accepted auditing standards. These standards require the examination to be planned and executed so that there is a reasonable degree of certitude concerning the absence of major inaccuracies in the financial statements. The examination includes tests of probative information supporting the amounts and other items of information provided in the financial statements. It also includes an evaluation of the accounting principles used and of major estimates prepared by management, as well as an assessment of the presentation of all the financial statements.

In my opinion, these financial statements faithfully represent the Commission's financial position in all major respects as at December 31, 1990, as well as the results of its operations for the year then ended in accordance with the accounting policies outlined in Note 2. In accordance with the requirements of the *Act respecting the vérificateur général* (R.S.Q., Chapter V-5.01), I declare that, in my opinion, these policies were applied on a basis consistent with that of the previous year.

CHANGES REQUIRED IN THE *ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES*

As stated in Note 18, the Commission took steps to obtain the legislative changes needed to index the indemnities granted to beneficiaries of certain programs, at January 1, 1992. At the date of this report, the enabling legislation for this indexing had not been sanctioned by Parliament.

Le vérificateur général du Québec

Rhéal Chatelain, F.C.A.

Québec City, March 15, 1991

Actuarial Certificate

Relating to the commitments of the *Commission de la santé et de la sécurité du travail* at December 31, 1990

We have made the valuation of the Commission's actuarial reserve for its balance sheet at December 31, 1990 and its statement of income and expenditure for the year then ended. In our opinion, the actuarial reserve, which amounts to $5,325,525,000, makes proper provision to cover future payments of benefits to occupational injury victims in accordance with the *Workmen's Compensation Act*, the *Act respecting industrial accidents and occupational diseases*, and the *Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries* and future payments of benefits to pregnant or breast-feeding workers in accordance with the *Act respecting occupational health and safety*. The actuarial reserve covers all liabilities relative to events that occurred until December 31, 1990 in the establishments of employers who are assessed by the Commission. It does not take into account the changes to the AIAOD which the Commission asked the Minister of Labour to submit for approval by the National Assembly, and whose cost is estimated at $100,000,000.

With regard to the CSST's funding objectives, the assumptions used in the valuation of reserves were selected on the best estimate basis. This approach implies that there is no margin for adverse statistical deviations or for an unfavourable evolution of the experience.

However, the assumption on the real rate of return is an exception to this general best-estimate approach. Indeed, in consideration of the Commission's specific commitments to guarantee the adjustment of these indemnities to future inflation, and to permit more stable assessment rates and financial results, the assumption on the real rate of return is based on longer-term trends, and a mechanism enables the annual deviations in the real rate of return to be amortized.

The actuarial reserve increased from $4,927,290,000 at December 31, 1989 to $5,325,525,000 at December 31, 1990. The increase of $398,235,000, composed of an increase of $389,157,000 for compensation programs and one of $9,078,000 for the protective reassignment program was debited to the 1990 statement of income and expenditure.

The increase of $389,157,000 for compensation programs includes an increase of $13,877,000 in the actuarial reserve, resulting from changes in methods and assumptions.

The application of the amortization mechanism of deviations related to the real rate of return leads to an increase in the provision of $138,420,000 resulting from the gains realized during 1990 and a decrease of $50,931,000 resulting from the amortization of deviations of previous years. The provision for deviations in the real rate of return thus increased to $628,133,000 at December 31, 1990, from the amount of $540,644,000. Considering the Commission's capitalization policy, the amount of $628,133,000 is necessary to reach the objective of full capitalization, which guarantees future payments of benefits to beneficiaries.

In our opinion, the actuarial reserve amount was determined from trustworthy data, adequate and appropriate assumptions, and the methods employed are in accordance with generally accepted actuarial principles.

Robert Langlois, F.S.A., F.I.C.A.
Actuary
Commission de la santé et de la sécurité du travail

Pierre Hébert, F.I.C.A.
Actuary
Commission de la santé et de la sécurité du travail

March 11, 1991

The Commission's actuaries evaluated the actuarial reserve at December 31, 1990 to cover future payments of benefits to occupational injury victims and to pregnant or breast-feeding workers. This reserve of $5,325,525,000 covers the commitments for events that occurred until December 31, 1990 in the establishments of employers who are assessed by the Commission.

The assumptions used with regard to the Commission's funding objectives were selected according to the best estimate approach. Only the assumption on the real rate of return is based on longer-term trends. However, this is linked to a mechanism through which the annual variations in the real rate of return are amortized over time.

We carried out an audit on the methodology and assumptions as well as their use in the present valuation. We conducted all the examinations we deemed appropriate.

In our opinion, the $5,325,525,000 shown in the balance sheet at December 31, 1990 adequately reflects the value of the Commission's commitments at that date. As well, the $398,235,000 increase in the reserve constitutes an appropriate debit in the 1990 statement of income and expenditure. The provision of $628,133,000 for deviations in the real rate of return is also appropriate, in view of the Commission's capitalization policy.

Jules Rivard, F.S.A., F.I.C.A.
JACQUES G. PARENT & ASSOCIÉS INC.
Consulting Actuaries

Gilbert Dionne, F.S.A., F.I.C.A.
JACQUES G. PARENT & ASSOCIÉS INC.
Consulting Actuaries

March 12, 1991

COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL

INCOME AND EXPENDITURE

Year Ended December 31, 1990

	1990	1989
		(in thousands of $)
INCOME		
Employers' assessments (Note 1)	**1,445,347**	1,530,181
Investment income and interest on assessments	**398,089**	428,742
Other income	**4,993**	7,369
	1,848,429	1,966,292
EXPENDITURE		
Compensation programs (Note 4)		
Benefits paid	**1,150,825**	973,739
Increase in actuarial reserve	**375,280**	274,863
Increase in actuarial reserve resulting from changes in assumptions and the method of calculation	**13,877**	(9,535)
Indexing of certain benefits (Note 18)	**100,000**	–
	1,639,982	1,239,067
Protective reassignment of pregnant or breast-feeding workers program		
Benefits paid	**69,317**	49,777
Increase in actuarial reserve	**9,078**	4,403
	78,395	54,180
Prevention programs (Note 5)	**69,753**	67,421
Administration expenses (Note 6)	**188,785**	168,638
Other costs (Note 7)	**56,019**	36,306
	314,557	272,365
Adjustment of provisions for reimbursement of assessments (Note 14)	**(83,295)**	25,400
Deviation in the real rate of return (Note 17)	**87,489**	162,201
	2,037,128	1,753,213
EXCESS OF EXPENSES OVER INCOME BEFORE THE FOLLOWING ADJUSTMENT:	**188,699**	(213,079)
PREVIOUSLY INCLUDED ELEMENTS ALLOCATED TO UNFUNDED LIABILITY ON DECEMBER 31, 1989 (Notes 1 and 3)	**73,639**	–
EXCESS OF EXPENSES OVER CURRENT OPERATING INCOME (Notes 8 et 13)	**262,338**	(213,079)

UNFUNDED LIABILITY

Year Ended December 31, 1990

	1990	1989
	(in thousands of $)	
UNFUNDED LIABILITY		
At December 31, 1989 (Note 13) :		
BALANCE AT BEGINNING	**2,015,149**	2,228,228
Excess of expenses over income	**–**	(213,079)
Items allocated to unfunded liability:		
Special assessment for recapitalization	**(148,000)**	–
Interest on unfunded liability	**127,431**	–
Amortization of the provision for deviations in the real rate of return	**(50,931)**	–
Assessment on the capital portion of the balance due on the Public Service Pension Plan	**(2,139)**	–
	(73,639)	–
BALANCE AT END	**1,941,510**	2,015,149
UNFUNDED LIABILITY		
Since January 1, 1990:		
Excess of expenses over current operating income (Note 13)	**262,338**	–
TOTAL UNFUNDED LIABILITY	**2,203,848**	2,015,149

COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL

BALANCE SHEET

Year Ended December 31, 1990

	1990	1989
		(in thousands of $)
ASSETS		
Cash and temporary investments	**126,758**	256,874
Assessments receivable and other receivables (Note 9)	**262,554**	195,323
Funds entrusted to the *Caisse de dépôt et placement du Québec* (Note 10)	**3,649,467**	3,386,178
Real estate selling price balances (Note 11)	**15,647**	16,280
Fixed assets (Note 12)	**22,766**	22,368
	4,077,192	3,877,023
LIABILITIES		
Accounts payable and accrued liabilities	**32,444**	27,074
Assessments collected in advance	**32,503**	17,216
Provisions for reimbursement of assessments (Note 14)	**12,000**	158,431
Deposits by employers personally responsible for paying benefits	**23,891**	24,137
Balance due on Public Service Pension Plan (Note 15)	**34,161**	36,300
Investment income posted (Note 16)	**92,383**	161,080
Provision for deviations in the real rate of return (Note 17)	**628,133**	540,644
Provision for indexing of benefits (Note 18)	**100,000**	–
Actuarial reserve (Note 19)	**5,325,525**	4,927,290
	6,281,040	5,892,172
UNFUNDED LIABILITY	**2,203,848**	2,015,149
	4,077,192	3,877,023

COMMITMENTS AND CONTINGENCY (Note 20)

FOR THE BOARD OF DIRECTORS

GHISLAIN DUFOUR

LOUIS LABERGE

1. INCORPORATION, FUNCTIONS AND FINANCING

The *Commission de la santé et de la sécurité du travail* was incorporated under the Québec Civil Code on March 13, 1980 by the *Act respecting occupational health and safety* (R.S.Q., Chapter S-2.1 and amendments). In the scope of this Act, its duty is to develop, to propose and to implement policies for the health and safety of workers to ensure a better work environment. It collects from employers the sums required for the enforcement of the Act, except the costs of inspection, which are reimbursed by the Québec government.

Under the *Workmen's Compensation Act* and the *Act respecting industrial accidents and occupational diseases*, the Commission is responsible for assessing employers annually, according to its mode of financing and after actuarial valuation at the rate applicable to the units in which the employers are classified, or if necessary, at their applicable personalized rates.

Under the *Crime Victims Compensation Act* and the *Act to promote good citizenship*, the Commission has a duty to pay benefits or other indemnities to claimants. The sums required for application and administration of these Acts are reimbursed by the Québec government.

The Commission elects the mode of financing it deems fit to meet commitments as they are incurred to avoid unduly burdening employers later with compensation payments attributable to past employment injuries.

Capitalization Policy

The Commission's concept of full capitalization holds that assets should be equal to liabilities, without aiming to maintain a surplus.

Measures were taken to balance assets and liabilities as quickly as possible while maintaining the objectives of equity, respect for the fund, stability, and prevention.

This policy provides a mechanism for rebalancing the capitalization ratio and serves to:

- introduce a mechanism for amortizing the provision for deviations in the real rate of return, without interest, over an eight (8) year period;
- adjust the assessment as of fiscal year 1990, in order to eliminate the unfunded liability at December 31, 1989, over a twenty (20) year period;
- amortize without interest, during subsequent rate assessments, the surplus and deficits that will occur as of 1990 over various periods depending on the nature of the deviations.

2. ACCOUNTING POLICIES

The Commission's financial statements have been prepared by management using the accrual method of accounting and the accounting policies outlined below. These statements include figures based on the best professional judgments and estimates.

A. Employers' Assessments

Assessment income is determined on the basis of provisional payrolls reported by employers to whom the rate schedule set by the Commission applies. At the end of the year, this income is adjusted to take into account the anticipated difference between the estimated wages and those actually subject to the assessment. Adjustments in the retrospective plan are posted in the year in which they are made.

B. Investment Income

Gains and losses resulting from the sale of individual investment funds in the *Caisse de dépôt et placement du Québec* are posted and amortized. The difference between the market value of the portion of participation deposits represented by stocks and their cost at December 31 is progressively entered into the books. This amortization and the progressive posting, which figure in the income for the fiscal year, are calculated according to the straight-line depreciation method over a five year period.

C. Funds Entrusted to the *Caisse de dépôt et placement du Québec*

The participation deposits in the individual fund of the *Caisse de dépôt et placement du Québec* are entered at their adjusted value, that is a value based on the market value for the part of these deposits represented by stocks.

This adjusted value is made up of the following:

- the cost of acquiring units of participation deposits;
- the progressive postings of the difference between the market value of stock investments and their cost according to the method mentioned in the accounting policy on investment income.

D. Fixed Assets

Fixed assets are stated at their original cost and depreciated in relation to their estimated useful life, on the straight-line depreciation method at the following annual rates:

Buildings	2 ½ %
Furniture and equipment	10 %
Rolling stock	25 %
Computer equipment	20 %
Telecommunications system	20 %
Leasehold improvements	Duration of lease

E. Provision for Deviations in the Real Rate of Return

The provision for deviations in the real rate of return is made up of the experience surplus or deficits attributable to an assumed real rate of return of 3% *per annum*. This assumption is used to determine the current value of future payments subject to indexation. The particularly long term of the Commission's commitments concerning the pensions paid, and experience show that the real rate of return is subject to major changes from year to year. The object of providing for deviations in the real rate of return is to present the experience surplus or deficits attributable to this assumption, separately, in the statement of income and expenditure.

The annual change in this provision is amortized under the straight-line depreciation method without interest, over an eight year period from the second year following this observation. This amortization will be considered as a discount or a debit to employers, as the case may be, during subsequent assessments.

This practice of amortizing the annual change in this provision will have the effect of modifying the application of the 3% *per annum* assumption, which is used to determine the present estimated value of future payments subject to indexation.

F. Actuarial Reserve

Present estimated value of future payments to employment injury victims and pregnant or breast-feeding workers

This reserve includes the current estimated value of all future payments to be made for employment injuries and protective reassignments of pregnant or breast-feeding workers which occurred during the current fiscal year and during previous years among employers required to contribute.

This reserve includes provisions for cases which have already been the subject of benefit claims and for victims whose claim will reach the Commission after the end of the current fiscal year. The reserve also includes provisions for victims who are now being compensated or will possibly be compensated following a relapse, a recurrence or an aggravation.

G. Claims Against Third Parties

Claims against third parties responsible for industrial accidents are deducted from paid benefits upon their receipt.

3. CHANGE IN PRESENTATION OF THE FINANCIAL STATEMENTS

Items Allocated to Unfunded Liability

As of 1990, in order to reflect the mechanisms in the capitalization policy, the Commission decided to adjust the net effect on the items allocated to unfunded liability incurred before December 31, 1989, globally, in the statement of income and expenditure, for the following reasons:

- to maintain financial data comparative with that of the previous year;
- to show the result of current operations.

Details of this adjustment of $73.6 million are shown in the statement of unfunded liability.

4. COMPENSATION PROGRAMS

	1990	1989
		(in thousands of $)
Cost of employment injuries that occurred during the year		
Benefits paid	**304,995**	268,139
Increase in actuarial reserve	**713,616**	629,772
	1,018,611	897,911
Cost of employment injuries that occurred in previous years		
Benefits paid	**845,830**	705,600
Decrease in actuarial reserve	**(338,336)**	(354,909)
Increase in actuarial reserve resulting from changes in assumptions and method of calculation	**13,877**	(9,535)
	521,371	341,156
	1,539,982	1,239,067
Indexing of certain benefits	**100,000**	–
Overall cost of compensation programs	**1,639,982**	1,239,067

Compensation programs costs are divided as follows:

	1990	1989
		(in thousands of $)
Benefits paid		
Medical assistance	**182,825**	156,181
Temporary disability	**41,476**	49,717
Income replacement	**594,475**	444,427
Bodily injury	**109,407**	91,563
Permanent disability	**176,018**	175,275
Death	**46,624**	56,576
	1,150,825	973,739
Increase in actuarial reserve	**389,157**	265,328
	1,539,982	1,239,067
Indexing of certain benefits	**100,000**	–
Overall cost of compensation programs	**1,639,982**	1,239,067

5. PREVENTION PROGRAMS

	1990	1989
		(in thousands of $)
Payments for occupational health services and others	**37,401**	36,912
Subsidy to the *Institut de recherche en santé et en sécurité du travail du Québec*	**15,155**	14,069
Subsidies for training and information:		
Joint sector-based associations	**11,679**	11,280
Union and employer associations	**5,518**	5,150
Other associations	**–**	10
	69,753	67,421

6. ADMINISTRATION EXPENSES

	1990	1989
		(in thousands of $)
Salary and fringe benefits	**136,998**	122,198
Training and professional development	**851**	475
Travel expenses	**6,005**	5,890
Postage, courier and telecommunications	**9,363**	7,782
Communications and information	**3,076**	2,965
Professional services - Computers	**5,860**	4,296
Professional services - Administration	**16,626**	14,972
Maintenance and repair - Computer equipment	**3,372**	2,653
Maintenance and repair - Fixed assets and others	**2,773**	3,895
Material and supplies	**7,498**	7,541
Space rental	**13,631**	12,592
Equipment rental - Computers	**7,370**	6,264
Equipment rental - Others	**967**	844
Insurance, taxes, power supply	**1,858**	1,691
Other expenses and services	**1,302**	1,357
Depreciation - Fixed assets	**6,365**	5,605
	223,715	201,020
Costs transferred:		
Government of Québec		
- Inspections	**24,732**	24,514
- Administration of the *Crime Victims Compensation Act* and the *Act to promote good citizenship*	**3,331**	1,993
Government of Canada and its agencies for administration of the *Government Employees Compensation Act*	**3,269**	2,879
Employers personally required to pay benefits	**2,864**	2,339
Other costs transferred	**714**	657
	34,930	32,382
	188,785	168,638

7. OTHER COSTS

	1990	1989
		(in thousands of $)
Bad debts	**36,758**	23,572
Administration expenses of the *Commission d'appel en matière de lésions professionnelles*	**16,477**	9,758
Public Service Pension Plan		
- Interest on balance due	**2,784**	2,976
	56,019	36,306

8. EXCESS EXPENSES OVER CURRENT OPERATING INCOME

The excess expenses over current operating income for the year ended December 31, 1990 are explained by the following variations in the 1990 assessment:

	1990	
	Deficit (surplus) (in thousands of $)	
THIS FISCAL YEAR'S FINANCIAL NEEDS		
Assessments	20,262	
Other income	(4,993)	
Compensation programs	70,875	*
Protective reassignment of pregnant or breast-feeding workers program	21,229	**
Prevention programs	(10,447)	
Administration expenses	(12,115)	
Administration expenses of the *Commission d'appel en matière de lésions professionnelles*	8,377	
Bad debts	14,558	
Margin for unfavourable deviations	(46,500)	***
	61,246	
FINANCIAL NEEDS OF PREVIOUS FISCAL YEARS		
Assessments	3,814	
Compensation programs	176,864	****
Protective reassignment of pregnant or breast-feeding workers program	3,709	
Adjustment of provisions for reimbursement of assessments	(83,295)	*****
	101,092	
EXCEPTIONAL DEVIATIONS		
Indexing of certain benefits	100,000	*****
TOTAL REPRESENTING EXCESS OF EXPENSES OVER CURRENT OPERATING INCOME	262,338	

* The estimated cost of the 1990 assessment was $929,000,000. On July 1, 1990, the comparative cost of employment injuries that occurred in 1990 was set at $999,875,000. The $70,875,000 deficit that resulted consists mainly of three items, that is, a deficit of $123,300,000 resulting from a considerable increase in the average duration of compensation, during the period of medical consolidation and rehabilitation; a deficit of $16,900,000 resulting from an increase in the average cost per victim receiving major medical assistance during the 1990 assessment; and a surplus of $68,400,000 following a drop in the number of victims.

** The estimated cost of 1990 assessment was $51,800,000. On July 1, 1990, the comparative cost of protective reassignments that occurred in 1990 was set at $73,029,000. The $21,229,000 deficit is due to the fact that both the number of protective reassignments and the average duration of compensation were higher than predicted when 1990 was assessed.

*** This surplus is the product of a 5%-margin in the cost of employment injuries anticipated in the 1990 assessment, to minimize the possibility of deficits or declines in the capitalization rate.

**** The two main items of this deficit are: $105,400,000 resulting from a major increase in the duration of compensation in medical consolidation and rehabilitation, and $51,700,000 resulting from the relatively high number of decisions affecting the anatomicophysiological deficit and the inability to resume work in accordance with the *Workmen's Compensation Act*, leading to the payment of new permanent disability pensions in 1990.

***** These two items described in Notes 14 and 18 respectively of the present financial statement produce a net deficit of $16,705,000 in 1990, since they had not been taken into account in the 1990 assessment.

9. ASSESSMENTS RECEIVABLE AND OTHER RECEIVABLES

	1990	1989
		(in thousands of $)
Assessments receivable	**166,478**	115,509
Estimate of income accrued from assessments	**93,400**	66,300
Sums receivable from the Québec Government for inspection*	**19,053**	10,323
Overpayment of claims receivable	**27,817**	32,029
Other receivables	**11,873**	12,752
	318,621	236,913
LESS:		
Provision for bad debts**	**56,067**	41,590
	262,554	195,323

* In accordance with Section 249 of the *Act respecting occupational health and safety* any amount required for the enforcement of the Act and inspection regulations is taken from the monies appropriated annually by Legislature for this purpose.

** In 1989 an amount of $8,590,020 had been set aside to be recovered from the Québec Government. It consists of $6,157,208 for the period between July 1985 and December 1988, and $2,432,812 for 1989. An additional amount of $9,376,714 has been set aside for the 1990 fiscal year, for a total of $17,966,734.

10. FUNDS ENTRUSTED TO THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

	1990	1989
		(in thousands of $)
Individual fund		
Participation deposits at cost		
(Market value in thousands of $ 1990:		
$3,487,471; 1989: $3,438,669		
Number of units 1990: 3,489,555; 1989: 3,207,607)	**3,489,555**	3,207,607
PLUS:		
Progressive entries of the difference between the		
market value of stock securities and their cost	**88,926**	94,628
Participation deposits at adjusted cost	**3,578,481**	3,302,235
Income receivable	**70,984**	83,934
	3,649,465	3,386,169
General fund		
Demand deposits	**2**	9
	3,649,467	3,386,178

The undepreciated balance of the difference between the market value of stock securities and their cost is set at $59,295,383 for 1990 (1989: $101,881,622).

PERCENTAGE DISTRIBUTION OF PORTFOLIO ACCORDING TO COST	1990	1989
Bonds	**54.27**	51.75
Convertible stocks and shares	**32.05**	27.92
Mortgage financing	**3.44**	4.44
Real estate investments	**4.92**	4.43
Short-term securities	**2.51**	9.90
Demand deposits	**1.27**	0.01
Other assets	**1.54**	1.55
	100.00	100.00

11. REAL ESTATE SELLING PRICE BALANCES

	1990	1989
	(in thousands of $)	
Secured by first mortgage, reimbursable by annuities of $403,085 maturing on December 31, 1998, rate 7 ½ %	2,349	2,556
Secured by assignment of subsidy to be paid by the Québec Government, reimbursable by annuities of $1,454,705, maturing on December 31, 2006, rate 7 ½ %	13,298	13,724
	15,647	16,280

12. FIXED ASSETS

	1990			1989
		(In thousands of $)		
	Cost	Accumulated Depreciation	Net	Net
Land	728	–	728	728
Buildings	10,014	4,234	5,780	5,930
Furniture and equipment	15,648	11,848	3,800	4,066
Rolling stock	531	313	218	267
Leasehold improvements	5,375	3,522	1,853	2,214
Computer equipment	26,763	16,979	9,784	8,584
Telecommunications system	2,077	1,474	603	579
	61,136	38,370	22,766	22,368

The acquisitions and disposals of the fiscal year at the cost price are respectively $7,010,855 (1989: $8,145,309) and $945,546 (1989: $401,157).

13. APPLICATION OF THE CAPITALIZATION POLICY

Excess Expenses over Current Operating Income

As explained in Note 1, a new amortization mechanism, effective 1990, was set up to amortize the current operations' surplus and deficits for subsequent assessments.

Recovery of excess expenses over 1990 current operating income is distributed as follows:

		Assessment Year					
Nature of deviations	Retrospective	1992	1993	1994	1995	1996	Total
				(In thousands of $)			
Financial needs of the present fiscal year	17,000	44,246					61,246
Financial needs of previous fiscal years		20,219	20,219	20,218	20,218	20,218	101,092
Exceptional deviations		20,000	20,000	20,000	20,000	20,000	100,000
	17,000	84,465	40,219	40,218	40,218	40,218	262,338

Unfunded Liability at December 31, 1989

In accordance with the capitalization policy, the balance of unfunded liability at December 31, 1989, will be amortized until 2009 inclusively. A charge of $0.11 per $100.00 of total payroll will be added to assessments from 1991 to 1994 inclusively, for this purpose.

14. PROVISIONS FOR REIMBURSEMENT OF ASSESSMENTS

		1990	1989
			(in thousands of $)
Provision for reimbursements with respect to Sections 99.3, 99.5, and 111.7 of the *Workmen's Compensation Act*	*	**3,150**	90,507
Provision for reimbursements to businesses under federal jurisdiction	**	**5,400**	35,542
Provision for reimbursements with respect to economic stabilization and rehabilitation benefit programs	***	**3,450**	6,982
Provision for reimbursements with respect to credits accumulated under the pre-January 1, 1990 method of assessment rating	****	**–**	25,400
		12,000	158,431

* **Provision for reimbursements with respect to Sections 99.3, 99.5, and 111.7 of the *Workmen's Compensation Act***

On April 11, 1988, the Commission adopted a new policy for recalculating the contributions of employers affected by the Regulation respecting the system of merit or demerit rating for assessing an employer (Decree 1628-86 of October 29, 1986) on charging costs under Sections 99.3 (worker handicapped as a result of a previous accident) and 99.5 (accident attributable to a third party) of the *Workmen's Compensation Act*. Its retroactive application made it necessary to recalculate non-prescribed assessments, in order to reimburse employers for previous overpayments.

In addition, the Commission decided to retroactively enforce a Management Committee May 1984 decision not to charge the cost of occupational diseases to the employer, in accordance with Section 111.7 of the *Workmen's Compensation Act*. This retroactive application made it necessary to recalculate non-prescribed assessments, in order to reimburse employers affected by this decision for overpayments of previous years.

On December 31, 1990, the Commission reevaluated this provision, initially set at $125 million, and reduced it by $75.7 million.

** **Provision for reimbursements to businesses under federal jurisdiction**

On May 26, 1988, the Supreme Court of Canada issued a decision stating that the *Act respecting occupational health and safety* (R.S.Q. Chapter S-2.1) did not apply to businesses under federal jurisdiction. Certain employers could then claim the portion of the contributions they had to pay to finance the application. A provision was determined at the end of 1988 to cover the assessments collected from 1981 to December 31, 1988, inclusively.

On December 31, 1990, the Commission reevaluated this provision, initially set at $55 million, and reduced it by $4.5 million.

*** **Provision for reimbursements with respect to economic stabilization and rehabilitation benefit programs**

Some employers claimed in court that job search, economic stabilization, and social stabilization programs for victims of employment injuries that occurred before August 19, 1985, were illegal. Two Québec Court of Appeal judgments upheld the employers' claim and cancelled the Commission's various rehabilitation programs. The Supreme Court of Canada refused the Commission's right to appeal. The Act entitled "*Act to amend the Act respecting industrial accidents and occupational diseases and the Workmen's Compensation Act*" (1988, Chapter 66), assented to and enforced on December 23, 1988, prescribes that employers who contested the validity of the programs may not be held responsible for the costs resulting from expenses incurred by the Commission in implementing these programs since October 20, 1982. This Act also provides the terms and conditions for reimbursing these employers to whom, among others, no interest is payable on the sums reimbursed.

On December 31, 1990, the Commission reevaluated this provision, initially set at $7 million, and reduced it by $3.1 million.

****** Provision for reimbursements of credits accumulated according to the method of assessment in force before January 1, 1990**

The *Act to amend the Act respecting industrial accidents and occupational diseases* (1989, Chapter 74), came into force on January 1, 1990. It authorizes the Commission to reimburse employers covered by the administrative policy which, according to the method of financing in force before the 1990 assessment year, limited reductions of a unit's assessment rate to only one class of rate per year, for an amount of carried over credits in determining assessment for the 1989 assessment year. The reimbursable amount cannot be greater than the amount of the employer's assessment calculated according to the rate he was given for 1989, which is reduced by the rate applicable to Class 1.

However, the employer is not entitled to such reimbursement if, for the year 1989, the mathematical rate of the unit in which he was classified and the assessment rate of that unit belonged to the same class of rates, or if the employer, at any time of that year, belonged to a unit defined as transitional for the determination of the rates for the assessment year 1989.

On December 31, 1990, this provision, initially set at $25.4 million, was used in full.

15. BALANCE DUE ON PUBLIC SERVICE PENSION PLAN

An actuarial valuation set at $49,787,000 the Public Service Pension Plan liability charged to the Commission as a result of services rendered by employees of the Commission before December 31, 1975. The Commission has been reimbursing this amount since December 31, 1978, by means of 23 equal annual instalments of $4,923,000, including principal and interest at a rate of 7.67% in 1990 decreasing to 6.66% in the year 2000, the year of the final instalment.

Capital reimbursements to be paid over the next five years respectively are:

1991	2,340,400
1992	2,549,200
1993	2,768,600
1994	2,998,900
1995	3,247,200

16. INCOME FROM POSTED INVESTMENTS

	1990	1989
	(in thousands of $)	
Balance at beginning	**161,080**	136,916
Gains and losses on the sale of investments in the individual fund in the *Caisse de dépôt et placement du Québec*	**(24,837)**	72,991
	136,243	209,907
Depreciation presented in investment income	**(43,860)**	(48,827)
Balance at end	**92,383**	161,080

17. PROVISION FOR DEVIATIONS IN THE REAL RATE OF RETURN

In the provision for deviations in the real rate of return, the burden of rebalancing the situation rests on the assumption that the economy would eventually either absorb accumulated surplus or compensate for the accumulated deficits, as the case may be. The depreciation mechanism adopted is intended to put a time limit and make the absorption of annual surplus or deficits related to economic deviations more systematic. To maintain the time limit required between the year the deviation occurred and the effect of the deviation on the eventual assessment, which is two (2) years, each annual variation is amortized as of the second year following the year concerned.

Consistency of the Provision for Deviations in the Real Rate of Return

	1990	1989
		(in thousands of $)
Balance at beginning	**540,644**	378,443
Fiscal year's increase	**138,420**	191,612
Fiscal year's depreciation	**(50,931)**	(29,411)
	87,489	162,201
Balance at end	**628,133**	540,644

18. PROVISION FOR INDEXING OF BENEFITS

Through Resolution A-177-90 adopted at its meeting on December 18, 1990, the Commission decided to ask the Minister of Labour to have the government present a bill in the National Assembly to amend the *Act respecting industrial accidents and occupational diseases* to index the indemnities paid to beneficiaries of temporary disability benefits, of rehabilitation benefits program and the economic and social stabilization programs as of January 1, 1992. These benefits will be indexed at January 1, 1986, but the implementation will start on January 1, 1992.

The successive commitment to legislation requested, estimated at $100 million, was posted to liabilities and an equivalent amount was posted to the year's expenses.

19. ACTUARIAL RESERVE

Consistency of Actuarial Reserve

	1990	1989
		(in thousands of $)
Balance at beginning	**4,927,290**	4,657,559
Present estimated value of future payments to employment injury victims and pregnant or breast-feeding workers		
- increase in actuarial reserve	**384,358**	279,266
- changes in assumptions and in the method of calculating the actuarial reserve	**13,877**	(9,535)
Balance at end	**5,325,525**	4,927,290

Level of Capitalization

The level of capitalization at December 31, 1990 is 64.91% compared to 65.80% on December 31, 1989. These percentages were determined according to the proportion of assets over liabilities.

20. COMMITMENTS AND CONTINGENCY

Commitments

Leases

The Commission was committed to leases totalling $66,010,561 on December 31, 1990 (1989: $47,341,453). These leases extend over a period between one and ten years with a renewal option upon expiry. A clause provides for rent review based on operation-cost and tax increases.

Payments over the next five fiscal years, based on the rental amount at December 31, 1990, are respectively:

1991	$13,897,533
1992	14,278,541
1993	13,287,259
1994	12,112,943
1995	9,106,440

Equipment leasing and service contracts

On December 31, 1990, the Commission was committed to various equipment-leasing and service contracts for an estimated total of $32,061,000 (1989: $21,415,000). Anticipated annual payments for these contracts, which extend over a period of one to four years are respectively:

1991	$21,646,800
1992	6,451,200
1993	3,724,000
1994	239,000

Provision for reimbursements with regard to Sections 326 to 331 of the ***Act respecting industrial accidents and occupational diseases***

According to Sections 326 (1st paragraph) and 328 (1st paragraph) of the *Act respecting industrial accidents and occupational diseases*, the cost of benefits payable due to an industrial accident or an occupational disease is charged to the account of the employer for whom the worker receiving these benefits carried on employment at the time of the accident or performed work which led to this disease.

The Act provides for special circumstances which could lead to sharing or transfer of the charges for certain costs related to an occupational injury. In certain specific cases, the Commission also considers that the charges should be transferred or shared.

Because of the adoption of the policy for assigning costs according to Sections 326 to 331 of the *Act respecting industrial accidents and occupational diseases*, the moratorium on the application of these sections, which was in force since August 19, 1985, is now lifted.

At the time of preparation of the financial statements, the Commission is unable to reasonably assess the amount required to cover the outstanding requests.

Contingency

Businesses Under Federal Jurisdiction

On May 26, 1988, the Supreme Court of Canada issued a judgment stating that the *Act respecting occupational health and safety* was not applicable to businesses under federal jurisdiction.

Following this ruling, the Commission decided in 1988 to reimburse these employers for assessments that were wrongfully paid, including interest of 5% per annum. These refunds were estimated at $55,000,000 and a provision was posted to this effect during the same year (Note 14).

Moreover, lawsuits have been filed in the Québec Superior Court by several out-of-province transportation firms which consider themselves to be under federal jurisdiction. They are claiming complete reimbursement for assessments paid to the Commission for 1981 to 1988 inclusively, not just the portion of assessments applicable under the *Act respecting occupational health and safety*. These firms are also claiming interest on their possible reimbursements at the rate set under Section 28 of the *Act respecting the Ministry of Revenue*, instead of the 5% rate determined by the Commission. These lawsuits amount to approximately $40,000,000, not including the claim for interest.

As far as this contingency is concerned, all of the Commission's payments, if need be, excluding the reimbursements estimated at $55,000,000, will be allocated as an adjustment to previous fiscal years.

21. OTHER MANDATES OF THE COMMISSION

The Commission pays benefits to employment injury victims on behalf of employers who are personally responsible for the payment of such benefits. These employers subsequently reimburse the Commission.

The Commission is also responsible for compensating victims in accordance with the *Crime Victims Compensation Act* and the *Act to promote good citizenship*. The Government of Québec reimburses the Commission for these benefits.

In addition, under the *Government Employees Compensation Act*, the Commission is responsible for compensating federal civil servants who had employment injuries. The Government of Canada and its agencies reimburses the Commission for these benefits.

Commission expenses for these benefits were divided as follows:

	1990	1989
	(in thousands of $)	
Employers personally responsible for payment of benefits	23,503	21,710
Crime Victims Compensation Act and *Act to promote good citizenship*	23,354	17,419
Government Employees Compensation Act	11,253	10,779
	58,110	49,908

As they are completely reimbursed, these expenses and the reimbursements do not figure in the Commission's income and expenditure statements.

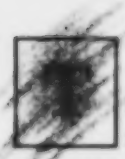
22. EMPLOYER CONTRIBUTIONS TO PENSION PLANS

The Commission's employees subscribe to the Public Service Pension Plan and to the Government and Public Agency Employees' Pension Plan, which are administered by the *Commission administrative des régimes de retraite et d'assurances*.

The Commission's contributions charged to the year-end statement amount to $5,735,808 (1989: $5,286,402). The liability of the Commission toward these government plans, excluding the liability stated in Note 15, is restricted to its contributions for current services as an employer.

Major Achievements in 1990

VICE-PRESIDENCY, FINANCE



The Vice-presidency, Finance is responsible for the planning, coordination and control of financial services, budgeting and accounting services. It administers the CSST's Computer Branch, and the Commission's statistical and management information systems. The Vice-presidency consists of five branches: Actuarial Services; Statistics and Information Management; Budget Planning; Financial Services; Systems.

During the 1990 fiscal year, in addition to the activities of its regular responsibilities, the Vice-presidency devoted its efforts mainly to preparing the draft policy on full capitalization of the Workers' Compensation Plan, implementing the new assessment method, designing the components of Phase II of the method and bringing into operation the five-year plan for overhauling and developing information systems.

The new method of assessment has been in effect since January 1, 1990. In addition to establishing a plan for fairer distribution of costs, the new method reflects the double mandate of public insurer and agent of protection conferred upon the Commission by law. The Finance team had to step up its efforts to make the assessment method, unanimously adopted by the Board of Directors and the National Assembly in 1989, fully operational within an extremely limited time. Several new regulations were presented to the Board of Directors, the computer systems used for rating and assessment were substantially modified and considerable efforts were devoted to regional staff training, to respond correctly to the many questions from employers and to carry out their new duties. All operations related to implementation of the new assessment method were accomplished within initially prescribed deadlines and costs. Any delay or error would have entailed serious consequences for the Commission's image with Québec employers and in its schedule for posting funds.

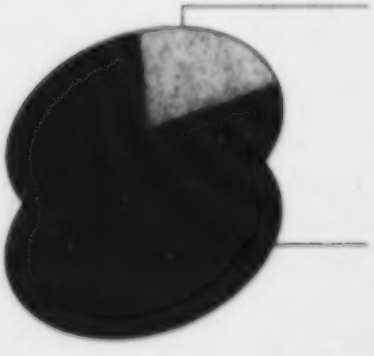
Phase I of the new assessment method did not make allowance for all the requests to the Commission by employers at the consultation stage. Therefore it is with reservation that the CSST consents to certain adjustments which the various employer associations and the Board of Directors had agreed to upon implementation of Phase I. Consequently, a large part of 1990 was devoted to studies and research for solutions to problems raised during Phase I, in maintaining consistency with the initial objectives of reform. Several requests from employer associations were inspired by American methods of rating and assessment. Delegates from Finance visited our American neighbours to learn more about these methods, weigh the pros and cons and evaluate the possibilities for introducing some of them in the Québec system of assessment. At the end of 1990, the assessment planning teams had enough of the elements at their disposal to draft the measures of Phase II of the new assessment method.

The proposals under consideration mainly concern the following: creation of a sixth sector comprised of public and parapublic agencies; a new method of calculating the weighting factor in the retrospective plan; more flexible rules on grouping legal entities, allowing eligibility in the retrospective plan; a new policy for using experience when acquiring businesses; finally, a new classification policy. These proposals will be the subject of consultations with employer associations and central labour organizations in early 1991.

The Vice-presidency, Finance, is responsible for carrying out the systems master plan. In June 1990, the president and chief executive officer agreed to sharing roles and responsibilities in the master plan, thereby giving the go-ahead for the various implementation projects of the plan. Approximately $8 million were allocated in 1990 to design work affecting the general architecture of systems, the accounting plan, the statistical plan, studies in positioning for computer infrastructure modernization, and new computer equipment purchase and rental. One of the major orientations of this plan involves the participation of users who have to conceive the systems in relation to their needs and ensure it is continuously monitored.

Other activities include various actions taken to solve the problem of the indexing of indemnities awarded under the *Workmen's Compensation Act*, work in medical consolidation, rehabilitation, and stabilization. A number of publications were produced or updated, mainly those related to the frequency and gravity of employment injuries and comparison of the Québec scheme with other North American plans.

COMMISSION INCOME - 1990
(millions of $)



Employer assessments	1,445.3	(78.2 %)
Investment income, interest on assessments, and other income	403.1	(21.8 %)
Total	1,848.4	

NEW ASSESSMENT METHOD

On January 1, 1990, the CSST introduced a new assessment method which reflects to a greater extent the double mandate of prevention agent and public insurer, conferred upon the Commission by the law.

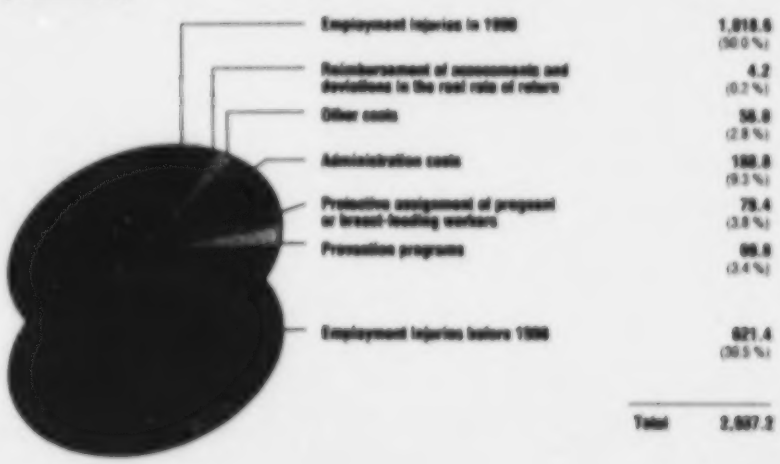
As an agent of prevention the Commission provides employers with incentive to prevention by personalizing their assessment rate. Personalized assessment rating takes into consideration the efforts an employer devotes toward prevention. The level of personalization of the rate varies with the size of the assessment the employer pays to the Commission. The employer's own experience is allowed for only in the personalized portion of his rate, while the rate of his unit is accounted for in the remaining portion. To qualify for a personalized rate, an employer must have paid assessments during at least two years from 1986 to 1988 and the sum of the total insurable payroll in 1986, 1987 and 1988, multiplied by the general rate of the unit in 1990, must be equal to or greater than $41,500.

A complementary plan, the *retrospective plan*, is offered to very large businesses, thus constituting another element in the incentive to prevention. This plan allows the employer to set the limits within which he wants to insure himself. Essentially individualistic by nature, this plan corrects an employer's assessment amount *a posteriori*, by comparing his actual expenses with those estimated at the time of assessment. An employer falls under this plan in 1990 if his insurable wages paid in 1988 or, at his request, those he will pay in 1990, multiplied by the general unit rate in 1990 is equal to or greater than $332,000.

TABLE 2

1 Including $305.0 million spent in 1990 and $713.6 million transferred to the actuarial reserve.
2 Difference between annual expenditure of $845.8 million and an amount of $324.4 million drawn from the reserve.
3 Bad debts, interest on balance owed to the Public Service Pension Plan for service prior to December 31, 1975, and administration expenses for the *Commission d'appel en matière de lésions professionnelles*.

COMMISSION EXPENDITURE - 1990
(in millions of $)



COMMISSION'S LEVEL OF CAPITALIZATION 1981 - 1990
(millions of $)

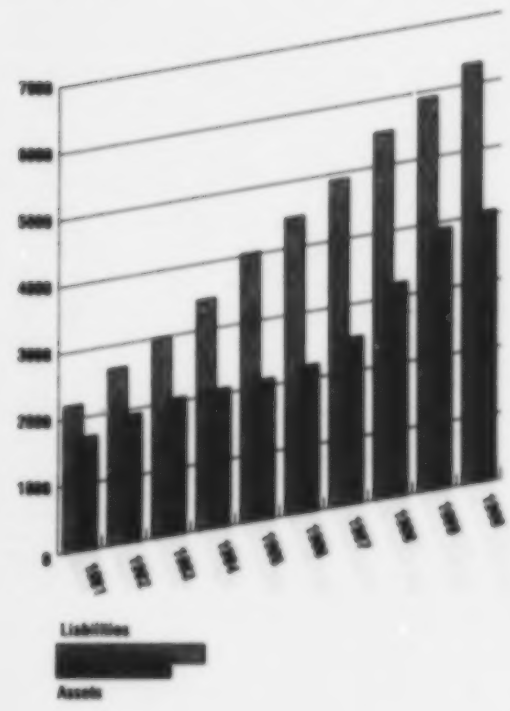


TABLE 3

1 Corresponding to the assets appearing in the financial statements after adjustments for 1981 and 1982 exclusively, to account for the reported costs transferred to unfunded liability in 1983.

2 Corresponding to the liabilities appearing in the financial statements after adjustments for 1981 to 1982 inclusively, to account for the variance between the mathematical and the notional reserves entered in the books in 1983.

3 Set as a ratio of assets to liabilities.

As public insurer, the Commission further complies with the basic principles of insurance for improving the method of sharing the cost of employment injuries, by forming more credible units, establishing limits per claim, and creating five broad sectors of economic activity.

Reduced from 849 to 540 for 1990, the classification units generally consist of a higher number of employers. The cost of injuries that occurred with employers in one unit is therefore distributed among a greater number of them, which guarantees greater stability in the assessment rate.

The establishment of limits per claim is a feature of a new method of sharing the cost of an employment injury. Thus, in the calculation of an employer's personalized rate the cost of each claim in his business is considered, but only up to, per claim, 20% of the maximum insurable earnings of the accident year. In the calculation of a unit's rate the cost of each of the claims among all the employers in this unit is taken into account, but only up to, per claim, 200% of the maximum insurable earnings in the accident year.

The merit/demerit plan which applied since 1979 has been replaced as of January 1, 1990 by this new assessment method through which employers meeting certain conditions receive a personalized rate or subscribe to a retrospective plan.

ASSESSMENTS

Employer assessments reached $1,445.3 million in 1990, including a $3.8 million downward adjustment to the final assessment of previous years. This assessment income decreased by $84.8 million or 5.5% over 1989.

Employers declared a total payroll of $59.1 billion in 1990, compared to $55.8 billion in 1989. In addition, the maximum insurable wage rose from $38,000 to $40,000 in the same period.

The average assessment rate, which was $2.75 per $100 of insurable earnings in 1989, decreased considerably to $2.50 in 1990. This average assessment rate is reduced in 1991 to $2.32, while the maximum insurable wage increases to $42,000.

MANAGEMENT OF FUNDS

As of December 31, 1990, the Commission's total assets reached $4,077.2 million, 89.5% of which were deposited with the *Caisse de dépôt et placement du Québec*, where the Commission is the sole holder of an individual fund. The Commission manages its own short-term investments, but under the *Act respecting industrial accidents and occupational diseases*, it must deposit with the *Caisse de dépôt et placement du Québec* monies it does not foresee needing in the short run, to be able to cover benefits or administration costs.

For the short-term investments, the Commission deals with Canadian chartered banks and savings institutions operating in the financial marketplace. Investments are placed with the institution offering the best return on investment instruments and investment limits authorized by the Commission.

The funds deposited in the *Caisse de dépôt et placement du Québec* now stand at $3,649.5 million, compared to $3,386.2 million in 1989. Their equity value was set at $3,487.5 million on December 31, 1990, an increase of $48.8 million, compared to that of 1989. These investments returned an income of $269 million (as accounted for by the Caisse), or 7.95%, a decrease of $62 million compared to last year. The diversification of this investment portfolio into stocks, mortgages, and real estate, undertaken a few years ago, avoids the risk of concentrating funds in a single type of investment.

It should be stressed that, under the Commission's financing method, the investment income is automatically deposited into the actuarial reserve to ensure it is sufficient.

TABLE 4

1. The distribution of the portfolio as a percentage of cost appears in Note 10 of the financial statements.
2. Last quarter income not yet collected.

VICE-PRESIDENCY, OPERATIONS

omprised of twenty-one regional branches and six central branches, the Vice-presidency, Operations is responsible for activities affecting the provision of services to the Commission's varied clientele.

In accordance with the Acts, regulations, policies and standards, this Vice-presidency applies the measures for eliminating hazards to the health, safety or physical well-being of workers at source, as well as for implementing the provisions for compensating and rehabilitating workers who have suffered employment injuries. It is also responsible for administering legislation affecting victims of crime or acts of good citizenship.

Having completed the restructuring process in 1989, the Vice-presidency acted, in 1990, to consolidate its operations and began an action plan to support the organization's objectives, particularly for improving services to users, reduction of the frequency and gravity of industrial accidents and occupational diseases and elimination of dangers at source.

To enhance user services several measures were taken to decrease the length of the period for determining eligibility and promote better communication with the Commission's partners and users.

By updating a follow-up plan for employers and workers to ensure that the necessary documentation for determining eligibility reaches the Commission within the required period of time, the Vice-presidency was able to shorten the time limit for processing claims

As measure of continuity in the medical area, a provincial tour was conducted to alert physicians to their responsibilities under the law. In a total of 83 information meetings 586 outside physicians obtained information on a large number of subjects, including: eligibility, consolidation, functional disability, the return to work, temporary assignment, the scale of bodily injuries, rehabilitation, medical forms and administrative time limits.

Other measures chosen to improve user services are now underway. The main elements of the strategic plan developed by the Vice-presidency, Operations to provide more adequate, rapid and personalized service involve the reorganization of reception services and telephone services, toll-free telephone service, employee training in information and reception techniques, and the establishment of a real service contract between the compensation officer and the worker.

Table 5

1 Data on March 1, 1991
2 Data on March 1, 1990
3 Includes all files opened during the year, and in which there was a death benefit or at least one income replacement indemnity was paid.
4 Includes all files involving no interruption of work following the incident, and in which at least one amount was paid for bodily injury.
5 Includes all claims refused, still under consideration, or all claims accepted and involving no payment of an income replacement indemnity, a death benefit, or compensation for bodily injury.

In the area of rehabilitation, the Vice-presidency mandated a special team to study one hundred cases at the processing stage, from all the regional branches. The study was aimed at determining strengths and weaknesses in the processing of claims. As a result of the study, the Vice-presidency set up a framework for intervention in rehabilitation emphasizing the return of injured workers to their jobs.

Significant measures were also established to improve the administration of the crime victims compensation plan. Procedures for reception and assistance were reviewed. Resource directories were created and are now accessible in all the regions. An awareness video on the Act was produced and presented to 28 police departments as part of a provincial tour.

In its prevention-inspection activities, in addition to its regular interventions, the Vice-presidency, Operations implemented special intervention programs in 1990.

To ensure compliance with prevention mechanisms provided by law, the regional branches began intervention programs in 1,127 establishments where the risk index was significantly higher than the average for establishments in their economic sector.

An intervention program geared to businesses with less than 20 workers was conducted in 2,081 establishments. Its aim was to provide conformity in enforcement of the various regulations in effect.

In the area of construction, systematic inspections were made of metal-frame installation, work on scaffolds, in excavations and trenches and near electric lines.

The Vice-presidency also thoroughly reviewed the management of all its prevention-inspection programs. This review will continue in 1991 and should lead to improved coordination of the Commission's activities in this area.

In addition to regular upgrading activities, and to support the quality of its interventions in its operational units, the Vice-presidency agreed to undertake major efforts in training and consulting support. For example, more than 4,900 person-days were spent in operations training activities for compensation officers, rehabilitation counsellors and inspectors.

In the area of compensation officers' duties, training was conducted on aids to decision-making, and recommended attitudes and behaviour in relations with the clientele. In the rehabilitation counsellor's duties, training sessions were held on the concept of employability and intervention by the counsellor during the consolidation period. The inspectors received information on a number of technical aspects, particularly noise reduction, inflammable products, the Workplace Hazardous Materials Information System (WHMIS), reading plans and specifications, explosives and road signs.

The Vice-presidency, Operations established a policy for quality control and follow-up in compensation, rehabilitation, prevention and inspection. The introduction of special programs for control in all regional branches on a regular basis will guarantee improved uniformity and conformity in the Commission's practices when interacting with users, in 1991.

COST ALLOCATION PROJECT

Following the adoption of a policy on treatment of the requests for sharing costs (imputation) a special project was set up to study 40,000 outstanding files. About forty employees were hired to process these files and by the end of 1990, 10,000 decisions had already been issued.

ACCIDENT NOTICES AND CLAIMS

In 1990, the Commission opened 241,426 new files on industrial accidents, occupational diseases or deaths, a 4% decrease from the 251,557 files opened in 1989. Claims were made under the *Workmen's Compensation Act*; the *Act respecting industrial accidents and occupational diseases*; and the *Federal Government Employees Compensation Act*. The number of files on industrial accidents or occupational diseases involving a payment for time off work or for death decreased by 4.3%, from 218,730 in 1989 to 209,244 in 1990. Files on occupational diseases involving a payment for time off work increased by 4.4%, from 4,010 in 1989 to 4,196 in 1990. Among the cases processed in 1990, 743 were compensated without involving time off work.

In 1990, the Commission also dealt with 28,239 claims involving relapse or aggravation, 4,288 of which were related to injuries that occurred before August 19, 1985. Among the claims processed, 22,508 involved a payment for time off work and 393 a payment not involving time off work.

The Commission noted that 185 workers lost their life in 1990 following a work accident or occupational disease. This represents an increase of 2%, compared to 1989, during which 181 persons lost their lives under the same circumstances.

SERVICES AVAILABLE TO WORKERS AND BENEFITS PAID

In 1990, total disbursements for employment injuries amounted to $1.151 billion. Included in this number are the costs of medical assistance, rehabilitation, temporary disability benefits, income replacement indemnity, permanent disability benefits, death benefits, and compensation for bodily injuries.

The amount paid for medical assistance fees rose to $124.4 million, 71.2% of which was used to reimburse hospital care and professional health services. Physical, occupational, and social rehabilitation expenses rose to $58.4 million. Physical rehabilitation (mainly physiotherapy treatment) accounted for approximately 64% of this amount, 15% for social rehabilitation, and 21% for occupational rehabilitation.

In 1990, indemnities paid to workers were based on maximum insurable earnings of $40,000. Benefits paid to workers for lost time totalled $636 million, comprising $41.5 million for temporary disability and $594.5 million in income replacement. It should be noted that, compared to 1989, the payments for temporary disability decreased by $8.2 million, while those for income replacement indemnities rose by $150 million.

TABLE 6

1 Data on March 1, 1991.
2 Data on March 1, 1990.
3 Data on March 1, 1991.
4 It was noted, one year after having produced the 1989 statistics, that the total number of deaths that occurred during 1989 increased from 181 to 243.

The indemnities paid for temporary disability represent 4% of disbursements for employment injuries. Of these indemnities, about 81% were paid as income support under social and economic stabilization programs, 9% for medical consolidation, and 10% for rehabilitation.

Income replacement indemnities represent 51.6% of the total disbursements. Almost 15% of these indemnities were paid directly by the employers during the compulsory period. The employers are subsequently reimbursed by the Commission.

The Commission offers professional services and financial assistance to beneficiaries within programs aimed to help them resume personal and social independence, return to work, or sustain their income. Thus, within the framework of occupational rehabilitation, 9,632 workers benefited from the occupational evaluation program, 2,869 from occupational training, and 820 from support in the search for employment. In the case of social rehabilitation programs, 1,497 workers obtained home care services and 1,292 psycho-social intervention services.

In addition to paying indemnities for lost time, the Commission pays annuities. They are paid because of permanent disability or death. The permanent disability annuities are life annuities, paid to beneficiaries whose injury occurred *prior* to August 19, 1985. For these beneficiaries, once their injury has healed or stabilized, or the rehabilitation treatment has ended, a permanent physical impairment persists. On December 31, 1990, 27,717 persons benefited from such an annuity, 600 for the first time. It should be noted that a permanent disability annuity may be paid in the form of a capital payment if it is lower than a monthly amount set at $123.27 for 1990. During that year, 145 beneficiaries received such capital payments. In all, $176 million were paid for permanent disability, or 15% of the total disbursements for employment injuries, a

TABLE 7

1 The cost of compensation programs, excluding protective reassignment, but including the increase of the actuarial reserve and indexing of some benefits, is established at $1,639,982,000 in 1990, compared to $1,239,067,000 in 1989 (see Note 4 of the financial statements).

DISTRIBUTION OF BENEFITS PAID FOR EMPLOYMENT INJURIES, BY CATEGORY - 1990

(in millions of $)

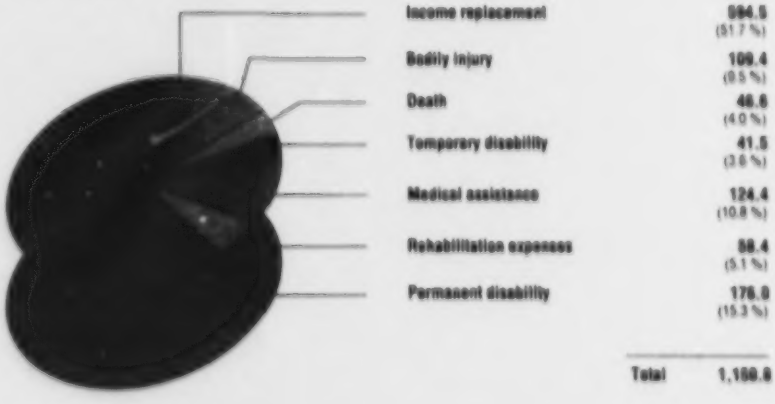
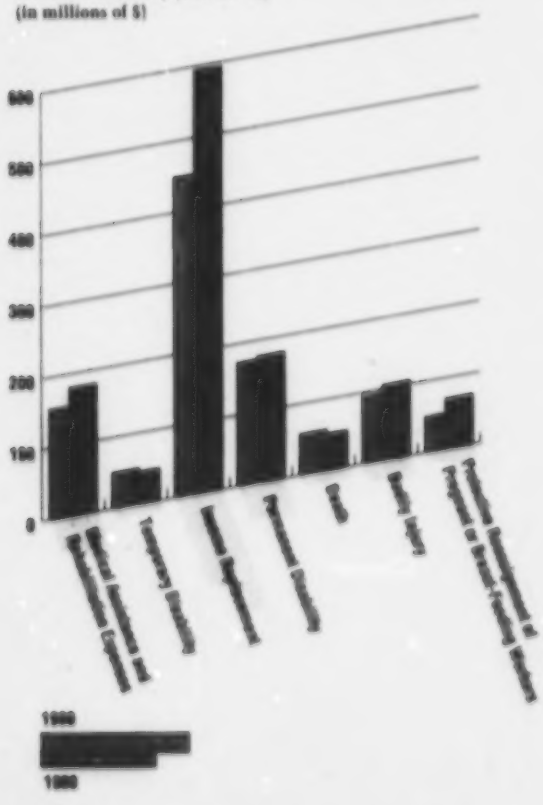


Table 8

1 Active annuities on December 31.
2 Active annuities during the year.
3 This corresponds to the number of children that have received a death benefit.

Distribution of Benefits paid for Employment Injuries, by Category, (1989-1990)
(in millions of $)



decrease of 3% compared to 1989. It should be pointed out that, for the injuries that occurred since August 19, 1985, the permanent disability annuities have been replaced in part by lump-sum amounts entitled compensation for bodily injuries. In 1990, the Commission paid a total of $109.4 million in compensation for bodily injuries, an increase of 19.5%. What we are witnessing is a catch-up phenomena experienced in 1989 when the increase was 212% while the Commision had began to pay such indemnities for bodily injuries to beneficiaries, since only in 1989 did the Commission begin to pay such indemnities, although the beneficiaries were entitled to this type of indemnity since August 19, 1985.

Pensions paid following a death differ depending on the date the death occurred. In effect, if the death occurred before or on August 18, 1985, the annuity is a life annuity, while it is temporary (maximum three-year term) if the death occurred after this date. In 1990, 3,302 persons (surviving spouse, child, other) received a life annuity, 2 for the first time. The Commission also paid temporary annuities to 381 surviving spouses, 175 for the first time, and 550 children, 121 for the first time. A total of $46.6 million was disbursed in the payment of death benefits. 54.8% of this amount was paid in life annuities, 12.2% in temporary annuities, and 33% in lump-sum payments or funeral costs.

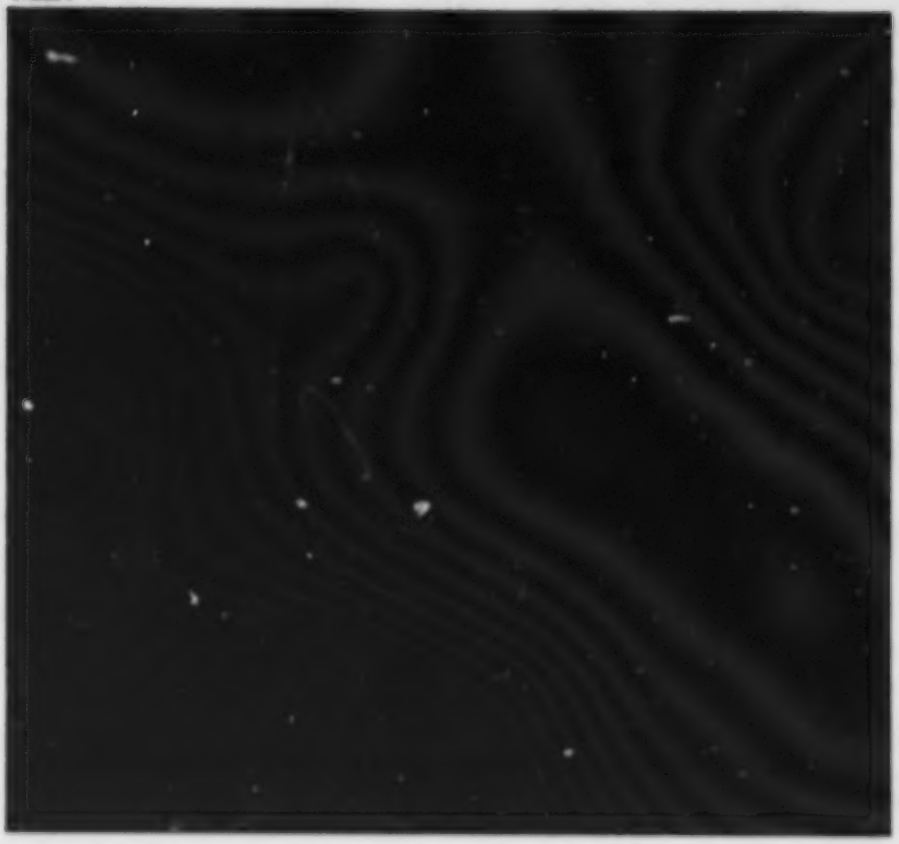
BENEFITS FOLLOWING PROTECTIVE REASSIGNMENT OF PREGNANT OR BREAST-FEEDING WORKERS

Since 1981, the Commission has been administering the benefit program for pregnant or breast-feeding workers who exercise their right to protective reassignment under the *Act respecting occupational health and safety*. The purpose of the plan is to allow a pregnant or breast-feeding worker to be immediately reassigned to non-hazardous duties, upon medical confirmation that her pregnancy, or her unborn, breast-fed child may be exposed to a particular hazard.

During 1990, the Commission received 21,088 benefit claims from women exercising this right, compared to 18,043 claims in 1989. This represents an increase of 17%. In 1989 the increase was 12%. In 1990, 17,452 (83%) of these claims were accepted and 3,431 (16%) were rejected; 205 (1%) were still under consideration on March 1, 1991. During 1990, the Commission paid $69.3 million in benefits, an increase of 39.2% over 1989. Of this amount, $50.5 million were paid for 1990 reassignments, while $18.8 million were paid for reassignments during previous years. It should be noted that, since August 19, 1985, benefit payments are made according to the provisions of the *Act respecting industrial accidents and occupational diseases*.

The regular increase in the number of claims since the plan came into effect stems partly from the fact that workers are more familiar with their rights, the risks which might induce workers to exercise their rights are undefined, and reassignments to non-hazardous jobs are scarce.

TABLE 9



1 Data on March 1, 1991.
2 Although all establishments in priority sectors are required to develop a prevention program, only those with 21 or more workers have to submit a program to the CSST.
3 Data supplied by the HC-CHDs. The health program is part of the prevention program; it is prepared by the physician in charge of the establishment's health services, under the terms of contracts between the Commission and the HC-CHDs.
4 Health and safety committees formed under the Act and whose formation was notified to the Commission.
5 Safety representatives designated under the Act and whose designation was notified to the Commission by establishments with or without a health and safety committee.

Exhibit 39

Commission Interventions in Establishments and Measures Taken, by Type of Intervention (1990)

Intervention or Measures Taken	Type of intervention							
	Control	Assistance	Evaluation	Investigation	Complaint	Refusal	Dispute	Total
Intervention files								
Received	9 377	536	2 576	633	5 294	314	211	18 935
Closed with intervention	9 765	701	2 711	554	4 748	330	222	19 031
Closed without intervention	481	52	309	143	849	74	16	1 924
Visits								
Initial	8 708	360	421	446	4 303	231	161	14 630
Control	26 078	221	183	750	6 215	275	5	33 727
Total	34 786	581	604	1 196	10 518	506	166	48 357
Measures								
Non-compliance noted	39 617	137	177	619	11 258	213	1	52 216
Machines stopped	58	1	3	14	47	3	0	123
Premises closed	660	2	1	41	313	5	0	1 022
Stops affixed	203	2	0	34	154	3	0	413
Violation notices issued	720	0	2	65	221	7	0	1 015
Violation notices abandoned	49	0	0	7	20	1	0	77
Violation notices paid	419	1	2	27	113	2	0	564
Legal proceedings initiated	392	1	5	48	136	6	0	588
Legal proceedings won	287	0	2	31	81	3	0	404
Legal proceedings lost	51	0	2	13	26	0	0	89
Legal proceedings withdrawn	42	1	0	0	17	0	0	61

Exhibit 40

Redress and Conciliation - Statistics by Region (1990)

Regional Branches	Section 12 ANAD							Section 227 ADHS						
	Complaints Received	Decisions						Complaints Received	Decisions					
		INA	WDR	REJ	ACC	SC	Total		INA	WDR	REJ	ACC	SC	Total
Abitibi — Temiscamingue	58	3	3	9	7	21	43	17	3	0	6	14	2	25
Bas — Saint-Laurent	19	0	2	3	3	10	18	5	0	1	1	1	3	6
Chaudières — Appalaches	60	3	21	10	5	25	64	10	0	4	0	0	3	7
Côte-Nord	24	2	1	1	4	6	14	47	15	2	1	2	1	21
Estrie	68	2	9	31	4	13	59	179	0	4	29	2	146	181
Gaspésie — Îles-de-la-Madeleine	9	1	1	6	1	3	12	0	0	0	0	0	0	0
Lanaudière	116	8	16	10	4	57	105	14	1	5	0	2	8	16
Laurentides	149	5	48	25	13	24	115	169	2	3	14	4	171	194
Laval	176	20	36	10	5	80	151	5	0	1	0	0	1	2
Longueuil	144	12	15	31	7	69	134	20	2	2	3	2	10	19
Mauricie — Bois-Francs	109	0	28	13	16	48	105	12	0	1	6	5	5	17
Montréal - 1	46	4	5	16	1	17	43	3	0	0	0	2	1	3
Montréal - 2	136	23	73	1	4	35	136	20	0	3	2	2	13	20
Montréal - 3	97	1	24	9	1	47	82	82	1	7	12	2	35	57
Montréal - 4	181	12	78	15	16	50	169	46	2	11	2	29	36	80
Montréal - 5	156	0	37	18	6	82	143	19	0	7	1	2	11	21
Outaouais	69	4	6	0	3	44	57	27	0	1	1	1	22	25
Québec	153	14	52	35	10	33	144	17	3	6	164	2	2	177
Richelieu — Salaberry	112	0	35	22	8	41	106	21	0	5	1	2	11	19
Saguenay — Lac-Saint-Jean	94	13	25	14	9	24	85	17	3	0	6	1	5	15
Yamaska	88	6	23	8	2	59	98	14	0	0	2	1	7	10
Total	**2 074**	**133**	**546**	**287**	**129**	**708**	**1 883**	**744**	**32**	**63**	**251**	**76**	**493**	**915**

Right to Return to Work, Sect. 245, 246, 251 AIAOO

Complaints Received	Decisions						Total Decisions	Complaints Received
	INA	WDR	REJ	ACC	SC	Total		
7	0	1	2	2	1	6	74	67
1	0	0	0	0	2	2	26	25
8	0	3	1	0	2	6	77	78
0	0	0	0	0	0	0	35	71
5	0	2	2	1	1	6	246	252
0	0	0	0	0	0	0	12	9
1	0	1	0	0	0	1	122	131
2	0	0	0	1	0	1	310	320
0	0	0	0	0	0	0	153	181
3	0	0	2	0	1	3	156	167
2	0	2	0	1	0	3	125	123
0	0	0	0	0	0	0	46	49
2	1	1	1	0	1	4	160	158
0	0	0	0	0	0	0	139	179
1	0	0	0	0	0	0	249	228
0	0	0	0	0	0	0	164	175
4	1	0	0	0	1	2	84	100
0	0	0	0	0	0	0	321	170
7	0	0	2	0	5	7	132	140
1	0	0	0	0	0	0	100	112
7	2	2	0	0	3	7	115	119
51	**4**	**12**	**10**	**5**	**17**	**48**	**2,846**	**2,869**

COMMISSION INTERVENTIONS

In 1990, regional prevention and inspection teams paid 48,357 visits to establishments and job sites, an increase of 10% compared to 43,964 visits in 1989. The number of files where the Commission intervened in an assistance, evaluation or control capacity, whether incentive or coercive, rose to 12,483, or 66% of all files processed. There were 5,294 interventions following complaints, 61, or 1% more than in 1989. The Commission was called upon to intervene in 314 cases of refusal to work, compared to 308 the previous year, an increase of 2%.

The Commission also intervened in 633 cases involving the death of a worker, serious injuries to one or more workers or major material damages. It should be underlined that in 1990, according to data collected by the prevention-inspection teams, the Commission recorded 94 fatal accidents resulting in the death of 94 workers in the workplace, compared to 112 fatal accidents resulting in 128 deaths in 1989.

In 1990, Commission inspectors recorded 52,216 cases of non-compliance, compared to 44,585 in 1989, an increase of 17%. The Commission also sent out 1,015 violation notices in 1990, compared to 1,011in 1989.

REDRESS AND CONCILIATION

The *Act respecting industrial accidents and occupational injuries* contains a recourse (complaint under Section 32) for the worker who believes he has been dismissed, suspended, transferred, discriminated against, or been a victim of reprisal or any other sanction because he has suffered an employment injury or because he has exercised his right under this Act.

In 1990, the Commission's regional branches received 2,074 complaints of this nature. Section 254 of the Act allows the Commission, if the worker consents, to attempt to reconcile the worker and the employer failing which the Commission hands down a decision.

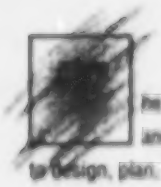
During the year, 788 complaints received under Section 32 of this Act were settled by conciliation, 129 received a favourable judgment, 287 were denied, 133 declared inadmissible and 546 were withdrawn.

Section 227 of the *Act respecting occupational health and safety*, includes a similar recourse. A total of 744 complaints under this Section were received in 1990 and they were treated with those that were outstanding at the beginning of the year. Conciliation was successful in 493 cases, 76 complaints were accepted, 251 rejected, 32 declared inadmissible and 63 were withdrawn.

Finally, the Commission received 51 requests for intervention to enforce the right to return to work under Sections 245, 246, and 251 of the *Act respecting industrial accidents and occupational diseases*. Conciliation was successful in 17 cases. Five complaints were accepted, 10 rejected, 5 deemed inadmissible and 12 were withdrawn.

It should be pointed out that the 45.6% rate of settlement of complaints and requests by conciliation in 1990 is the highest since the Commission has exercised this mandate.

VICE-PRESIDENCY, PLANNING AND PROGRAMS



The Vice-presidency, Planning and Programs is mandated to design, plan, develop and implement policies, programs, regulations and standards in occupational health and safety. It provides information and documentation services and is responsible for evaluating programs as well as conducting prospective analyses in occupational health and safety. It also coordinates liaison and negotiations with the Commission's external partners and is charged with developing and establishing framework for programs in occupational health.

The Vice-presidency is composed of four branches: Occupational Health and Safety Information; Consultation, Program Evaluation and Planning; Prevention and Inspection Programs; Rehabilitation and Compensation Programs.

OCCUPATIONAL HEALTH AND SAFETY INFORMATION

The Documentation Centre provides documentation services to occupational health and safety interveners as well as the public at large. In 1990, the Montréal and Québec City documentation centres responded to 7,954 requests for information; loaned 6,606 documents, borrowed 4,569 documents from other libraries, and replied to 6,050 requests for photocopies. The audiovisual library loaned 5,055 audiovisual documents and added 44 new titles to its collection.

The ISST database, which contains a comprehensive collection of health and safety documentation in Québec, increased by 8,287 new titles, over 2,000 of which were received from participants outside this database. In addition to the Commission and IRSST documentation centres, twelve joint sector-based associations participate in the ISST database. The latter now contains 104,193 titles.

During 1990, 601 new products were added to the Toxicological Index databank to bring the total number of products contained to 112,096. Of this number, 5,738 are available to the public on validated data sheets.

In 1990, 65,502 requests for product information were directed to the Toxicological Index, 9,175 electronically; 61,333 answers were given, or 93.6% of all the questions received, the other questions awaiting answers from the manufacturers concerned. The Index also provides a telephone information service for cases related to the protective reassignment of pregnant or breast-feeding workers' program, sampling, or refusal of work. Six thousand two hundred and fifty-nine telephone requests for information on 9,133 products were directed to the Toxicological Index. Eight hundred and nineteen of these requests related specifically to WHMIS. In all, in 1990, 77,484 requests for information were processed in the Toxicological Index.

CONSULTATION, PROGRAM EVALUATION AND PLANNING

In the area of external consultation, on-going relations continued in 1990 with the Commission's main partners. The Vice-presidency coordinated the work of the various standing committees (*Ministère de l'Éducation du Québec*, *Ministère de la Santé et des Services sociaux*, Construction Safety Code), and organized external consultations on draft programs, chiefly on the Commission's plan of action for preventing occupational deafness.

The negotiation sector reached various agreements with ministries and agencies. The first involved the agreements designed to implement the Acts administered by the Commission, as was the case with the federal Department of Consumer and Corporate Affairs and the *Ministère de la Santé et des Services sociaux*. Then there were the professional service contracts on medical assistance agreements with the *Fédération des physiothérapeutes en pratique privée du Québec*, the Centre Lucie-Bruneau, and some private radiology clinics. Finally, several agreements were reached, including drafts or revisions of agreements dealing with varied issues, mainly with the *Association des entrepreneurs en construction du Québec*, the *Inspecteur général des institutions financières*, the *Ministère de la Main-d'oeuvre, de la Sécurité du revenu et de la Formation professionnelle*, the *Ministère de la Santé et des Services sociaux*, the *Ministère du Travail*, the *Société de l'assurance automobile du Québec* and the *IRSST*.

In the area of program evaluation and prospective analyses, three major evaluations were conducted in 1990. In the scope of the program "For a safe Maternity Experience", the data on files opened in 1988 were analysed. The study dealt mainly with the operation of the program and should be continued to obtain data for 1989 and 1990. Evaluation of the procedures for implementing and operating WHMIS (Workplace Hazardous Materials Information Service) in the workplace began, and should end in early 1991. Finally the operation and effects of the evaluation and rehabilitation program for workers with chronic back pain, now being set up in the Centre François-Charon of Québec and the Centre Lucie-Bruneau of Montréal, were also evaluated.

Planning staff analyzed various environmental factors to determine current and future trends in occupational health and safety. The environmental impact of the following situations was first analyzed: aging and feminization of the workforce, immigration and technological change. A socio-professional portrait of injured workers will conclude this analysis. A reference file on occupational diseases, particularly as it affects compensation systems, eligibility and new orientations, was brought to a successful conclusion.

Work is underway to set up a statistical library otherwise known as the reference base. It will include items related to demography, the economy, the industrial structure, employment injuries, and rehabilitation. In addition, the department conducts on-going analyses of compensation plans, programs and occupational health and safety legislation in a dozen other countries to determine trends and place Québec in perspective. A quarterly information bulletin, *La prospective au présent* dealing with programs, standardization and trends in occupational health and safety is now published.

Occupational Health Services

In the area of occupational health, the *Act respecting occupational health and safety* accords the public health system a significant role. The 32 hospital centres with a community health department (HC-CHDs) coordinate implementation of specific health programs within their territory. To this end, the Commission has signed service agreements with each of them since 1981.

The new orientations, which the Board of Directors adopted in 1988 with regard to occupational health services, include regional reorganization of services to foster better use of resources. This reorganization took concrete shape in 1990 through the Commission's approval of a draft agreement with the *Ministère de la Santé et des Services sociaux*, by the lifting of the moratorium on positions set in 1987 and the examination, by the Commission, of organization plans submitted by the HC-CHDs.

In 1990 the sums allotted by the Commission to occupational health services reached $40.3 million, $32.5 million[1] of which were transferred directly to the HC-CHDs. The balance of $7.8 million includes reimbursements of $5.5 million to the *Régie de l'assurance-maladie du Québec*, for physicians' fees and $1.8 million to the *Institut de recherche en santé et en sécurité du travail* for laboratory activities undertaken on behalf of HC-CHDs and their subcontractors. The Commission also paid to 110 employers, distributed over 123 establishments containing some 120,000 employees, from sectors not yet designated as priority, $0.5 million in subsidies for maintaining their health service.

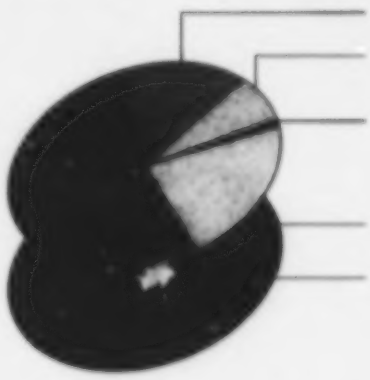
Amounts paid to HC-CHDs in 1990 were based on 742 authorized positions on December 31, 1989, for operational teams and the health service program teams responsible for the operation of health programs for the priority groups I, II and III. These amounts have been indexed, in 1990, for operational teams and program teams, in accordance with the rate of growth of expenses indicated by the *Ministère de la Santé et des Services sociaux*.

In 1990, to serve the workers in Groups I, II and III, the HC-CHDs relied on 126 health services, 106 of which were administered by CLSCs, 6 by health centres, and 14 by HC-CHDs.

The health services staff sent 18,475 samples, from which the IRSST completed 50,138 analyses. On December 31, 1990, the health network had made some 22,200 chargeable health exams, such as lung X-rays.

In addition to activities related to health programs, the HC-CHDs sent to the Commission in 1990, notices on some 21,000 files concerning the exercise of the right to protective reassignment of pregnant or breast-feeding workers.

PREVENTION EXPENSES IN 1990
(in millions of $)



Joint sector-based associations	11.7 (10.0 %)
Labour and management associations	5.5 (7.0 %)
Sponsorships	0.2 (0.3 %)
IRSST	15.2 (21.0 %)
Occupational health services	37.2 (53.2 %)
Total	69.8

Subsidies to Labour and Management Associations

In 1990, the Commission granted $3,005,400 to 17 labor associations and $2,077,151 to 11 management associations to carry out various training and information projects for their members. An additional amount of approximately $430,000 was granted to one employer association and three labour associations for participation in the Commission's work.

In 1990, 13 joint sector-based associations were in operation in the following sectors: automobile services; building industry; chemical, rubber and plastic products[2]; clothing; manufacturing of metal and electrical products; manufacturing of transportation equipment and machinery; mines and mining services; municipal affairs; primary textiles; printing; provincial administration; social affairs; transportation and storage.

In 1990, the Commission granted a total of $11,678,653 in subsidies to these 13 associations, staffed by 163 employees and serving over 970,000 workers in some 66,000 establishments including approximately $143,600 granted for administration of the agreement covering certification for courses on general health and safety on construction sites.

PREVENTION AND INSPECTION PROGRAMS

In the area of health and safety on construction sites, apart from the changes adopted during the year by the Board of Directors on it's recommendation, the Building Safety Code Review Committee continued working on all-terrain vehicles, cement pumps, excavations, trenches and mobile scaffolds. Prevention-Inspection information activities included a revised and augmented edition of the *Guide to Scaffolds*, which is due to be published in the Spring of 1991.

1 This amount includes budget surpluses estimated at $0.3 million for operational teams and $2.7 million for program teams.

2 This association ceased its activities on november 15, 1990.

In the case of health and safety in the establishments, regulatory amendments following ratification by Québec and Canada, of International Labour Organization Convention 162 on safety in the use of asbestos, came into force in 1990.

A preliminary publication was produced of the draft regulation to amend the Regulation respecting the application of the Building Code 1985, which is intended to provide concordance between the standards required by the CSST's inspectors and those of the Ministry of Labour.

A draft regulation on elevators, lifts, mechanical stairs, small lifts, moving sidewalks, platforms, hoists for building material and elevating apparatus for the disabled is under study.

The work of the Advisory Committee for updating Appendix A of the Regulation on the quality of the work environment, i.e., exposure limits to chemical products began in 1990.

In a first phase, the Board of Directors' Committee on the Application of the Notion of Establishment is examining the application of the notion of establishment of the *Act respecting occupational health and safety* to the technical regulations adopted under other Acts and continued under this Act. As part of this study, the Regulation respecting industrial and commercial establishments received specific attention. A project to update this regulation is under consideration. In a second phase, the committee is studying the application of the participative mechanisms provided under the *Act respecting occupational health and safety* to Groups III, IV, V, and VI.

Work undertaken with the Joint Association for Occupational Health and Safety in the Mining Sector to revise the Regulation respecting salubrity and safety in mines and quarries continued.

A draft regulation on camps, to replace the Regulation on sanitary conditions in industrial or other camps, was developed to correct problems in these areas. An action plan to prevent occupational deafness, integrating the elements of primary, secondary and tertiary prevention was developed. Interveners, employer and labour parties were consulted on the plan. An action plan on broad leaves was also created and should be implemented in 1991.

A grid for analyzing conformity with the Québec requirements of WHMIS was designed to make it easier for inspectors to intervene and additional training was provided to 30 inspectors. The training continued in 1991. The Regulation on the quality of the work environment was also completely updated.

Preventive health services activities stressed the resumption of work leading to the development of a program for preventing back pain, the global analysis of problems in the protective reassignment of workers who have been exposed to a contaminant and, finally, the study of the means to implement to ensure that workers exposed to asbestos and silica are medically monitored.

REHABILITATION AND COMPENSATION PROGRAMS

It was necessary to train regional health and safety directors to implement the *Recueil des politiques en matière de réadaptation et d'indemnisation*, which came into force in 1990.

The main goal in matters selected by Rehabilitation and Compensation Programs for particular attention was to streamline the procedures for processing cases.

Determination of eligibility for occupational diseases is a complex activity. Problems encountered in determining eligibility were analyzed in order to simplify information gathering, iron out the difficulties in processing these cases, and bring some uniformity to decision-making procedures. This preliminary analysis focused on existing policies and available tools.

A draft framework for intervention was also developed to centre the activities of compensation officers around the objectives of the *Act respecting industrial accidents and occupational diseases* and facilitate their participation in the consolidation process.

Under the protective reassignment program for pregnant or breast-feeding workers, a new medical-environmental report was designed and a guide to evaluate workstations was produced in collaboration with the CHDs. An information brochure, *For a risk-free pregnancy*, was distributed. Finally, a workplan with the *Institut de recherche en santé et en sécurité du travail* is aimed to establish a standing committee responsible for reviewing medical and scientific aspects.

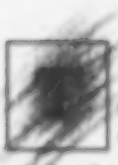
In the area of rehabilitation, a number of tools to support and streamline rehabilitation counselling activities were developed. A representative sample of rehabilitation cases was analysed. A policy framework for intervention was subsequently distributed, specifying the Commission's mission in rehabilitation, its philosophy of intervention, and the role of its counsellors.

As well, work on the individualized rehabilitation plan (IRP) resulted in the adoption of a reference framework. The framework clarifies the definition of IRP in precise stages and the procedure for presenting a case.

In addition, since rehabilitation requires the regular purchase of varied external services, a modular program for procuring external services for evaluation and development of the ability to work was constructed with the following aims: to standardize practices, produce the best quality rehabilitation services from these agencies, and better control the costs. These programs comprise the fabric of services which counsellors most often have recourse to, such as conditioning, evaluating and developing working ability, evaluating and adapting the workstation, and occupational orientation.

The program for evaluating and retraining workers suffering from chronic back pain, introduced at the Centre François-Charon in 1989 continued in 1990. Of the 85 workers who took part in the program, 40% returned to work and 42% were physically and psychologically ready to return to work. It is interesting to note that 30% of the workers that returned to work had stopped work for 24 months or more. These results are encouraging since, according to data available on this subject, the possibilities for return to work are about 20% when a person is absent from work for one year and almost nil after two years of absence. In the light of these results, it was decided to continue and extend the program.

VICE-PRESIDENCY, LIAISON WITH BENEFICIARIES



The main functions of the Vice-presidency, Liaison with Beneficiaries, are to listen, support and follow beneficiaries in their course through the workers' compensation plan. Accordingly, the staff of this section accompanies and guides the beneficiaries in the various steps in their process of consolidation and rehabilitation. The Vice-presidency acquits its duties on one hand, by processing requests for intervention and complaints addressed to it by the beneficiaries in exercising their rights, whether directly or through an intermediary, and on the other, by implementing projects, activities or tools to assist them in taking better responsibility for themselves.

Liaison with Beneficiaries is also responsible for users experiencing specific difficulties in communicating with the Commission, such as the hearing impaired, functionally illiterate, and allophones.

It has a monitoring and advisory role in issues related to the quality of service to beneficiaries.

PROCESSING OF COMPLAINTS AND REQUESTS FOR INTERVENTION

The delegate to Liaison with Beneficiaries reviews the files of persons who believe they have been wronged by the Commission or have not received the appropriate services and, in cooperation with the regional office, seeks means to solve the problem raised. The delegate does not issue a decision himself but is limited to making recommendations.

In 1990, 334 beneficiaries from all the regions served by the Commission and one person from outside Québec handed their requests for intervention to the Vice-presidency. Of these 335 requests, 4 were judged to be inadmissible. The majority of claims, 233 out of 335, were made by the beneficiaries themselves directly to the Commission. However, 55 ministers or MNAs intervened on behalf of their constituents, while 47 requests for intervention were brought forward on behalf of beneficiaries by their representatives (unions, associations, lawyers, physicians).

The main reasons beneficieries or their representatives address the Vice-presidency are:

- Dissatisfaction or lack of understanding of the decisions made at the first level, dealing particularly with indemnities, rehabilitation (eligibility and individualized rehabilitation plan), interpretation of the Act, medical-assistance evaluation procedure,

- apparent unreasonable delay by a regional office in issuing a decision, processing a case or responding to a claim;
- the need for information on the status of their compensation file, Acts, procedures and policies;
- dissatisfaction with a decision or a time limit of the *Commission d'appel* or a review office;
- the need for psycho-social or financial assistance;
- an act judged to be incorrect or an apparent abuse of power on the part of the Commission's staff, physicians (evaluator or arbitrator).

INFORMATION DAYS FOR BENEFICIARIES

Information days *Pour mieux se prendre en main* have become a major activity in the Vice-presidency, in collaboration with the regional branches. This activity is geared to beneficiaries who have not been working for three to eight months following an employment injury. The information days are intended to improve the quality of relations between them and the Commission, to help them take responsibility for themselves and facilitate their return to work. They are held in the area of each regional office three days per period of two years.

The content of these days is geared to provide information and create awareness of the medical, psycho-social and occupational aspects of rehabilitation, in addition to, as of 1990, information on the right to return to work and the right to rehabilitation. In the workshop situation, beneficiaries can share their experiences since their accident occurred.

Twenty-six of these days were held in 1990 in all the regions served by the Commission. Directed by the Vice-president, they brought together a total of 1,695 beneficiaries. Of this number, 878 were accompanied by their spouse or another person, for a total of 2,573 participants, an increase of 6.1% compared to participation in 1989.

One hundred and nineteen observers attended these meetings. They came from various milieu: MP's offices, employer associations, union associations, hospitals, CLSCs, media, associations of injured workers.

The beneficiaries appreciated the presence and availability of the Commission's staff at these meetings. Thus in 1990, 663 of the regional office staff participated in these days, assuming the various related responsibilities of reception, animation, logistics, etc. 22 persons representing the Commission's different branches and vice-presidencies also attended the information days.

In their written evaluation, 80% of the beneficiaries stated they found the day very useful and 17% found it useful.

ADVISORY ROLE

The welcome kit project launched in 1989 progressed according to the main stages of completion during 1990: preparation of the contents, illustrations, and graphic design. The welcome kit is directed to beneficiaries who have been off work for 45 to 50 days. Its purpose is to help such persons better understand their rights and obligations as well as those of the employer and the physician in charge. The kit accompanies the beneficiary throughout the plan. It also helps him control his situation and participate actively in the progress of his file in the Commission. The president and chief executive officer approved the kit at the end of the year. In 1991, the welcome kit will be established in all the areas served by the Commission's regional offices.

In the spirit of the International Literacy Year, the Vice-presidency, Liaison with Beneficiaries had included in its 1990 plan of action, a project for research and action on the problems and needs of beneficiaries who are functionally illiterate.

At the request of the president and chief executive officer the initial mandate is broadened, to integrate "prevention-inspection" and the problems of illiteracy encountered by workers in the cultural communities.

The Committee on Clients of the Commission who need to Improve Their Literacy Skills intends to establish the clients' profile and determine their needs in accessibility of information and quality of services. It will also have to specify the impact of these needs on the Commission's programs and its organizational dynamics and propose tangible means of action to reach, communicate with and serve these workers and beneficiaries better, so that they can follow their course more easily in the Workers' Compensation Plan.

VICE-PRESIDENCY, SERVICES

The Vice-presidency, Services is responsible for planning, coordinating, and of Communications, Human Resources, Material Resources and Legal Services Branches.

COMMUNICATIONS

The Communications Branch, which used to fall under the Presidency is now attached to the Vice-presidency, Services. It plays an advisory and support role to all the Vice-presidencies in their duty to inform users concerning everything that affects the Acts administered by the Commission and their application, and on the programs and services offered.

The Communications Branch has the mandate to guide institutional communication, define and propose the axes of communication enabling the Commission to attain its annual objectives. It develops and implements annual programming of its activities to promote, maintain and develop efficient relations and follow-up between the Commission and its internal and external clients; in the design and evaluation of information material, research and writing, organization of events, production, publication, distribution, promotion and advertising.

In addition to the cooperative projects with the Vice-presidencies, the Communications Branch participates in a task force on internal communications and a committee on the mission and organizational values of the Commission. It is also responsible for the organization of *Occupational Health and Safety Week*, held each year in the third week of October, the monthly edition of the internal magazine, *CSST Nouvelles*, and the publication of the magazine *Prévention au travail* which, through its issues, in-depth articles and bylines, informs monthly over 80,000 subscribers spread over all of Québec.

HUMAN RESOURCES

1990 was an important year for making official the plans for senior and intermediate administrative organization, hiring competitions for support positions in the regions, and managing the files of permanent and casual employees. These files were processed along with 76 staffing or promotion competitions which attracted more than 4,149 candidates.

Various training activities were conducted in different areas, including management, micro-computers, communication, and the plan to improve knowledge and job-related skills. Of particular note are: the approval of orientations taken in reception-related issues and the employee assistance program, projects to be established in 1991.

Efforts were pursued in industrial relations, to provide managers with support and counsel and to ensure that all working conditions are adequately applied. 1990 was also marked by negotiations conducted by different groups, including engineers, professionals and notary-lawyers.

A mechanical system for following up on absenteeism was reviewed and will be gradually implemented in 1991.

MATERIAL RESOURCES

The major activity in the Material Resources Branch in 1990 was the revision of the administrative rules on procurement or rental of goods and services by the Commission.

In the area of procurement, the Commission conducted business with 710 suppliers. Over 3,000 contracts were granted for the acquisition of goods and services, amounting to a total of $46 million.

Soon, the Material Resources Branch will finish implementing the system for determining inventory by means of an optical scanner. This system will enable an inventory of $85 million of movables, office equipment and other durable goods to be rapidly obtained.

In terms of property management, Material Resources proposed a program to review the entire head office building. As a result, close to a quarter of the building was renovated. In addition, to meet the mounting needs of head office staff, 4,000 square meters of office were moved to 510 Boulevard de l'Atrium, in Charlesbourg.

Some 340,651 archival files were microfilmed in 1990, an increase of approximately 13.5% compared to 1989. As well, at the request of both the Commission's staff and its users, 20,045 files had to be reconstructed, a decrease of 7.7% compared to the previous year.

A major activity involved printing in-house brochures, forms, monographs and other reproductions. The total amount was 34 million samples, an increase of 24% compared to 1989. The number of cheques sent to beneficiaries was in the range of 1,427,614 in 1989, an increase of 19% compared to the previous year.

LEGAL SERVICES

The Legal Services Branch assumes all the Commission's work of a legal nature in its advisory capacity as well as in its role in contentious issues.

The central office, consisting of lawyers from the Québec City head office and the Montréal administration centre, is charged with coordinating all legal-sector, legislative and regulatory files, as well as contentious files that are provincial in nature. It also performs the role of consultant to the Commission's management and the varied services. It coordinates the Commission's interventions before the *Commission des affaires sociales* and the *Commission d'appel en matière de lésions professionnelles*.

In each regional office, a lawyer provides legal counsel to the diverse participants in his region. The regional lawyers process criminal cases and liability lawsuits as well as recovery files for both outstanding employer assessments and compensation overpayments to the beneficiaries. They also represent the Commission in the administrative and civil courts.

COMMISSION'S REVIEW PROCESS

JOINT REVIEW OFFICES

Established through the enforcement of the *Act respecting industrial accidents and occupational diseases* on August 19, 1985, the review offices may now hear appeals related to most of the Commission's decisions, except medical matters which are submitted to a procedure of medical arbitration and contestations which fall under the jurisdiction of the IWCA review office or the CVC review office.

Each review office is made up of three members, a CSST-appointed chairperson, a worker representative and an employer representative. The latter two are chosen from a list drawn up by the respective members of the CSST's Board of Directors. The Chairperson and the members are appointed for a one-year, renewable term. The decisions rendered by the offices must be unanimous or majority decisions.

Together, these offices comprise 86 presidents, and over 400 union or employer members spread over 18 regional offices. Review offices can be found in each of the Commission's regional branches.

The number of requests received by the joint review offices was 18,465, an increase of 9% compared to the previous year. The offices had received 16,855 requests for review in 1989, and 16,064 in 1988.

In 1990, compensation was the subject of 81% of the requests for revision, financing, 9%, prevention-inspection, 2%, disciplinary measures and the protective reassignment of pregnant workers, 8%. 58% of the requests came from workers, compared to 70% in 1989, and 44% from employers, compared to 30% in 1989.

During last year, 16,757 hearings were held, constituting an increase of 67% compared to 1989, and 14,602 decisions were handed down, an increase of 68% compared to 1989. Of these, 87% were unanimous and 13% majority decisions. Requests from workers were upheld in 45% of the cases and 34% of employer requests were accepted.

In all, including withdrawals and cases of lack of jurisdiction, the review offices settled over 20,000 requests during 1990, or 60% more than in 1989.

The average time period between receipt of a request and the hearing date increased considerably between 1987 and 1989 because of the significant increase in the number of claims. In Autumn 1989, a correction plan was developed and implemented in order to reduce the delays. Since October 1989, the average delay from call to hearing was reduced by four months to be brought back to eight months in December 1990. The objective of processing all the files within a three month period, should be reached in December 1991.

The average amount of time taken for a decision and implementation of the decision is relatively stable (30 to 40 days).

Review Requests Received and Decisions Handed Down by the Joint Review Offices (1989-1992)

Review Requests Received	1990	1991	1992
Compensation			
Requests from workers	9.166 (50 %)	10.847 (64 %)	11.035 (69 %)
Requests from employers	5.705 (31 %)	3.475 (21 %)	2.428 (15 %)
Financing			
Requests from workers	22 (0 %)	19 (0 %)	30 (0 %)
Requests from employers	1.706 (9 %)	1.104 (7 %)	1.030 (6 %)
Preventive inspection			
Requests from workers	120 (1 %)	76 (1 %)	101 (1 %)
Requests from employers	705 (2 %)	324 (1 %)	48 (1 %)
Disciplinary measures and protective reassignment of pregnant or breast feeding workers			
Requests from workers	955 (5 %)	961 (6 %)	1.048 (6 %)
Requests from employers	382 (2 %)	249 (1 %)	229 (2 %)
Total partial			
Requests from workers	10.297 (56 %)	11.803 (73 %)	12.214 (76 %)
Requests from employers	8.168 (44 %)	5.037 (30 %)	3.850 (24 %)
Total	18.465	16.855	16.064

Decisions Handed Down	1990	1991	1992
Initial Decision Modified			
Requests from workers	5.127 (45 %)	2.946 (41 %)	1.882 (35 %)
Requests from employers	1.847 (34 %)	347 (32 %)	284 (35 %)
Initial Decisions maintained			
Requests from workers	5.389 (55 %)	4.194 (59 %)	2.794 (65 %)
Requests from employers	2.939 (66 %)	1.121 (67 %)	720 (65 %)
Total partial			
Initial Decisions modified	8.174 (42 %)	3.493 (47 %)	1.887 (35 %)
Initial Decisions maintained	8.473 (58 %)	5.295 (53 %)	3.514 (65 %)
Total	16.647	8.788	5.401

Appendixes 1990

Section or Economic Activity	Establishments [1]	Workers Covered [1]	Prevention-Inspection Interventions [1]						
			Control	Assistance	Evaluation	Investigation	Complaint	Refusal	Dispute
Group I									
[illegible]	21,389	102,023	3,191	32	1,088	100	856	4	0
[illegible]	551	27,908	72	20	54	10	75	4	0
[illegible]	2,971	23,609	386	14	185	55	56	8	1
[illegible]	560	17,243	186	9	120	38	71	16	2
[illegible]	2,508	33,241	351	21	164	16	194	7	2
Group II									
[illegible]	1,493	13,326	225	8	83	12	64	5	0
[illegible]	601	18,167	127	16	50	16	88	8	4
[illegible]	334	41,627	126	10	49	6	65	6	3
[illegible]	156	24,219	77	11	27	17	50	25	1
[illegible]	669	11,989	151	15	24	11	67	5	1
Group III									
[illegible]	3,168	140,645	249	40	109	23	254	42	4
[illegible]	1,700	55,046	261	15	37	13	116	9	3
[illegible]	1,430	18,731	163	9	35	8	57	3	0
[illegible]	294	41,483	124	17	46	24	73	10	1
[illegible]	7,687	55,054	341	25	44	23	180	21	3
Group IV									
[illegible]	55,589	405,160	755	51	46	57	581	13	17
[illegible]	240	6,869	27	3	1	4	27	0	2
[illegible]	654	18,768	164	1	14	10	55	8	0
[illegible]	18	2,660	0	0	0	0	0	0	0
[illegible]	682	24,955	74	3	2	6	50	2	5
Group V									
[illegible]	50,921	399,147	393	75	140	31	458	10	9
[illegible]	2,468	87,540	136	8	34	47	142	64	1
[illegible]	1,381	29,952	98	2	0	1	67	3	0
[illegible]	31	3,029	7	2	2	1	3	0	0
[illegible]	654	31,262	59	6	0	4	55	6	3
Group VI									
[illegible]	14,973	16,992	129	6	4	10	32	3	0
[illegible]	2,411	59,091	92	12	5	3	27	3	10
[illegible]	5,101	210,479	73	27	1	7	213	9	6
[illegible]	11,845	140,215	94	10	8	5	156	0	5
[illegible]	12,178	268,754	234	40	12	3	281	26	119
[illegible]	420	237	4	1	0	0	0	0	0
[illegible]	1,168	20,720	57	6	5	5	54	0	1
[illegible]	7,188	0	529	66	179	57	780	12	8
Total	217,867	2,681,398	9,377	536	2,578	633	5,294	316	211

Fires Opened, by Category					Financing		
Accidents Accepted and Compensated	Diseases Accepted and Compensated	Protective Reassignment [4]	Deaths Occurred during the Year [5]	Employers Fires [7]	Assessments [8] (million $)	Estimated Payroll [9] (million $)	Average Assessment Rate [10]
16 194	252	46	26	22 115	187 06	2 471	7 57
2 027	68	157	3	897	13 30	715	1 87
3 906	132	16	1	3 136	32 23	649	4 96
2 435	141	1	27	588	33 85	645	5 25
11 088	161	98	1	2 597	31 54	1 040	4 91
4 061	93	42	3	1 451	18 24	353	5 17
4 047	133	279	1	578	19 95	458	4 36
7 450	173	56	1	493	34 34	1 228	2 80
3 321	90	20	6	162	27 13	923	2 94
3 049	67	18	2	368	19 67	877	2 24
5 506	92	255	11	2 454	82 12	4 334	1 89
12 351	537	391	2	1 153	80 80	1 447	5 58
3 929	104	100	0	1 486	17 84	591	3 02
4 235	151	70	2	266	31 24	1 322	2 36
7 895	56	120	19	7 915	73 89	1 673	4 41
33 432	418	4 171	19	43 618	155 88	4 571	3 41
1 163	157	265	0	223	4 27	156	2 74
4 675	56	16	2	733	23 79	897	4 76
175	7	1	2	12	1 79	44	3 93
3 603	114	281	1	587	16 91	570	2 96
16 820	406	4 754	8	47 912	156 39	11 677	1 38
4 498	37	65	4	1 350	21 24	2 270	1 93
2 395	83	397	0	2 267	17 12	961	1 78
124	2	1	0	23	0 62	94	1 13
2 923	150	177	2	912	19 31	1 135	1 70
1 142	40	238	2	15 043	12 91	215	6 00
3 232	428	1 204	2	2 345	19 40	1 031	1 88
3 876	72	473	1	1 833	40 27	5 410	3 71
1 624	38	564	7	7 595	22 23	3 699	2 60
21 154	349	5 850	1	10 699	139 62	6 558	1 91
38	0	0	1	287	0 84	7	11 55
1 790	57	162	0	1 275	7 84	917	3 01
635	71	830	11	0	0 58	0	3 70
4 814	100	9	2	—	—	—	—
205 147 [11]	4 840 [11]	21 955	183	187 281	1 369 94	56 938	2 40

Regional Bureaux of the Commission	Employments	Staff	Assistance	Evaluation	Investigation	Complaint	Refusal	Dispute
[illegible]	8 571	287	8	132	41	129	16	1
[illegible]	7 878	411	27	124	15	130	6	14
[illegible]	10 940	885	32	165	26	189	6	1
[illegible]	1 934	147	7	80	46	121	16	1
[illegible]	4 076	641	31	91	29	245	4	21
[illegible]	1 174	215	15	57	8	86	4	0
[illegible]	2 677	1 259	4	570	7	828	0	0
[illegible]	16 255	679	12	85	13	290	12	12
[illegible]	7 472	215	18	11	8	243	53	74
[illegible]	11 592	224	43	138	3	450	23	15
[illegible]	8 519	214	19	61	8	260	20	6
[illegible]	10 462	365	8	62	20	121	4	13
[illegible]	12 322	621	73	37	19	215	13	1
[illegible]	5 290	411	2	41	14	182	4	3
[illegible]	15 111	536	19	117	71	259	28	4
[illegible]	11 830	337	36	296	51	355	20	1
[illegible]	115	77	1	17	1	5	2	0
[illegible]	6 483	290	11	57	28	146	4	3
[illegible]	13 564	554	5	189	65	367	19	1
[illegible]	13 145	475	15	34	38	371	23	31
[illegible]	4 623	552	29	224	79	291	12	1
[illegible]	10 851	518	28	23	17	153	22	19
Total	217 667	9 371	576	2 578	653	5 794	314	291

Prevention Mechanisms in Establishments			Files opened by Category			
Prevention Program	Health and Safety Program	Safety Representative	Accidents Accepted and Compensated	Diseases Accepted and Compensated	Protective Readjustments	Deaths Occurred during the Year
129	67	60	4.293	122	416	4
156	27	8	3.653	38	618	3
205	84	21	12.405	739	1.800	15
41	11	2	3.162	27	381	4
140	16	11	8.728	202	1.226	17
86	16	5	1.913	48	334	11
69	1	3	3.274	32	0	2
59	27	8	11.469	65	1.074	5
200	0	3	17.886	131	2.267	1
193	63	34	11.857	127	1.390	8
108	1	3	10.533	59	547	4
104	12	3	12.277	241	824	3
138	35	19	13.402	392	1.240	13
134	14	6	15.598	89	667	10
134	37	32	15.281	134	837	11
245	69	19	13.591	465	1.155	9
1	0	1	—	—	—	—
76	11	5	6.529	83	672	8
271	80	18	16.342	574	2.184	12
172	41	25	15.524	282	1.214	3
207	68	29	8.582	194	695	10
127	31	7	11.332	205	1.169	11
2.965	**671**	**329**	**355.147**	**4.040**	**21.568**	**193**

Income and Expenditure

	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980
Income										
	534.5	667.4	726.6	847.3	751.5	945.7	1 196.2	1 427.7	1 530.3	**1 445.3**
	194.2	218.5	259.1	212.0	229.4	235.9	247.1	215.2	428.7	**258.1**
	3.4	2.0	2.5	9.8	9.9	3.3	2.6	1.1	7.4	**5.0**
	514.1	837.9	921.2	919.6	990.8	1 184.9	1 435.9	1 754.0	1 966.3	**1 668.4**
Expenditure										
	327.3	797.1	801.7	821.7	1 272.5	1 298.3	1 176.6	1 329.9	1 239.1	**1 640.0**
	7.4	14.2	11.0	19.5	25.9	32.2	37.3	39.2	34.2	**70.4**
	19.1	42.5	28.7	58.8	58.7	80.5	64.5	68.2	67.4	**68.7**
	94.3	58.6	85.4	105.4	120.4	113.5	114.9	140.5	150.6	**158.0**
	24.6	75.4	34.5	15.7	19.8	20.9	16.9	19.8	30.2	**59.0**
	—	—	—	26.7	49.4	53.1	136.1	172.2	162.2	**87.5**
	—	—	—	—	—	—	—	187.5	23.4	**(45.3)**
	—	—	—	—	—	—	19.2	—	—	**—**
	472.7	945.7	968.2	1 147.8	1 546.7	1 598.5	1 529.6	1 550.9	1 753.2	**2 037.1**
Excess expenses over income before following adjustment	13.9	37.9	47.0	228.2	547.9	357.4	93.7	(152.1)	(213.1)	**100.7**
	—	—	—	—	—	—	—	—	—	**73.0**
Excess expenses over current operating income	13.9	37.9	47.0	228.2	547.9	357.4	93.7	(439.1)	(213.1)	**762.3**

Evolution of the Level of Capitalization 1981 to 1990

Evolution of the Average Assessment Rate 1981 to 1991

* Nominal assessment rate for a year, an assessment during the previous year after various estimates. This rate does not necessarily correspond to the assessment actually collected after the fiscal year.

1981	2.10	1987	2.32
1982	2.14	1988	2.15
1983	2.05	1989	2.15
1984	1.96	1990	2.32
1985	1.93	1991	2.32
1986	2.05		

Other Financial Statistics

(in millions of $)

	1981*	1982*	1983	1984*	1985	1986	1987	1988*	1989	1990
Assets	1,707.5	1,807.7	2,091.6	2,117.3	2,146.9	2,234.8	2,521.6	3,223.1	3,477.6	**4,877.2**
Cash and short-term investments	559.6	121.4	41.8	(8.2)	1.8	(2.4)	225.0	262.2	256.9	**125.6**
Funds employed in E.D.P.S.	1,447.6	1,650.9	1,865.2	1,941.5	1,944.3	1,998.7	2,052.6	2,677.5	3,286.2	**3,649.5**
Liabilities	2,051.5	2,577.4	2,958.2	3,440.3	4,017.7	4,462.1	4,882.9	5,460.8	5,892.1	**6,251.8**
Provision for dividends or distributions	—	—	—	26.2	76.1	129.2	235.5	407.4	540.6	**620.1**
Equity capital	2,174.3	2,140.8	2,892.1	3,224.9	3,846.6	4,260.1	4,537.4	4,457.6	4,927.2	**5,325.5**
Dividends paid	470.8	474.6	866.7	1,322.6	1,870.8	2,228.1	2,364.4	2,257.2	2,015.1	**2,282.2**
Convertible debt payable in shares of E.D.P.S.	10.3	14.6	37.1	80.4	42.7	45.4	49.9	52.3	55.8	**59.1**
Maximum annual income per policy	75,000 $	35,000 $	35,000 $	37,500 $	50,000 $	34,500 $	35,500 $	36,500 $	38,000 $	**40,000 $**
Average annual income per policy	2.10 $	2.10 $	2.05 $	1.99 $	1.98 $	2.20 $	2.12 $	2.75 $	2.75 $	**2.50 $**
Average annual cost per policy	1.44 $	1.42 $	1.44 $	1.77 $	1.78 $	2.03 $	2.01 $	2.03 $	2.71 $	**2.45 $**
Cash as a percentage of assets	32.8 %	6.7 %	2.0 %	(0.4) %	0.1 %	(0.1) %	8.9 %	8.1 %	7.4 %	**2.6 %**

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